

MAYOR AND CABINET		
Report Title	Torridon Infant and Junior Schools ASD Resource Base: Permission to begin consultation	
Key Decision	Yes	Item No.
Ward	All Wards	
Contributors	Executive Director of Children and Young People Head of Resources Head of Law	
Class	Part 1	Date: 7 March 2012

1. Summary

- 1.1 This report sets out the considerations behind the proposal to develop an Autistic Spectrum Disorder (ASD) resource base at Torridon Infant and Junior Schools and provides a draft timetable for action relating to this. The report is also being considered by the Children & Young People Select Committee on March 6 and any comments made by that select Committee will be reported to the Mayor & Cabinet.

2. Purpose

- 2.1 This report is seeking the Mayor's approval to carry out consultation on the development of an ASD resource base for sixteen children from reception to Year 6 at Torridon Infant and Junior Schools.

3. Recommendations

That the Mayor:

- 3.1 Agrees to consultation being carried out for the development of an ASD resource base for sixteen primary school aged children at Torridon Infant and Junior Schools.
- 3.1 Agrees that officers report back on the outcomes of the consultation in May 2012.

4. Policy Context

- 4.1 The proposal within this report is consistent with 'Shaping Our Future: Lewisham's Sustainable Community Strategy' and the Council's corporate priorities. In particular, it relates to the Council's priorities regarding young people's achievement and

involvement, the protection of children and inspiring efficiency, effectiveness and equity.

- 4.2 Lewisham's Children & Young People's Plan sets out our vision for improving outcomes for all children. It articulates the objective of improving outcomes for children with special educational needs (SEN) and disabilities by ensuring that their needs are met.
- 4.3 The Government's SEN Green Paper contains many important elements for the local authority to respond to. Of particular relevance for this report is the focus on ensuring that there is a range of educational settings available to meet the needs of all children with SEN, and that parents are empowered to make choices about which of these is most suitable for their child. The proposal to develop a resource base at Torridon Infant and Junior Schools is in line with these objectives.

5. Background

- 5.1 On 3 October 2007, the Mayor received a report on the public consultation for the Lewisham programme 'Strengthening Specialist Provision' (SSP). This identified a range of proposals aimed at improving the educational experience of pupils with SEN by increasing opportunities for them to be educated locally and in mainstream schools where possible and in line with parental preference.
- 5.2 One of the key objectives of the programme was to develop a range of SEN resource bases in mainstream schools. The development of an ASD resource base at Torridon Infant and Junior Schools will contribute towards achieving this objective.
- 5.3 The proposal for Torridon Infant and Juniors Schools is to develop a resource base with sixteen places for children of primary school age with a statement of SEN and a diagnosis of ASD. The first intake is proposed for September 2013 for up to eight pupils, four in the infant class and four in the junior class. It is currently proposed that the number of places would increase gradually by approximately four places per academic year.
- 5.4 A CYP Select Committee monitoring report on the SSP programme (March 2011) noted that the local authority's policy of developing resource bases in mainstream schools is resulting in positive outcomes for children with SEN. In particular, the SSP programme is delivering an enhanced range of local specialist provision, increased opportunities for mainstream inclusion and strengthened support, in particular, for children with ASD.

- 5.5 An additional 535 reception places above the Borough's published admissions limit of 3,156 were required in 2010/11. Torridon Infant School agreed to offer an additional class for 30 pupils. Works were undertaken at Torridon Infant School under the authority of a Single Tender Action (approved by Mayor and Cabinet on 2 June 2010) to enable the children to be admitted in September 2010.
- 5.6 Torridon Infant School shares a constrained site and facilities with Torridon Junior School. Torridon Junior School is significantly under the recommended net capacity for a 3 form of entry Junior school and it was recognised that additional accommodation would be required as the children move from the Infant to the Junior school. In addition the kitchen and dining hall had already been identified as unfit for purpose.
- 5.7 The governing bodies of the two schools asked the local authority to address this at the earliest opportunity. A proposal has been developed which will provide the required additional teaching accommodation in a block which will also include a replacement kitchen and dining hall. Since the work cannot be completed during the 6 week school summer holiday, decant accommodation will be required to provide a replacement dining hall during the construction period. If, after consultation, the Mayor's decision is to approve the resource base, then the decant building can be readily configured to create the accommodation required.
- 5.8 The pre-works for the decant accommodation are taking place during February 2012, with the first buildings arriving at the site in April 2012.
- 5.9 Works on the site are subject to planning permission. An application has been made and no buildings will be installed before the application is determined.
- 5.10 Initial discussions have been held with the headteachers and governing bodies of both schools, all of whom are supportive of the proposal. The schools are happy for the development of the additional teaching accommodation and replacement kitchen and dining hall to take place during the same period as the development of the resource base. They are confident that they have the capacity to manage both changes within the proposed timescales. The resource base places will be included within the total agreed place number for both schools. Therefore the development of the resource base will not result in an overall increase in pupil numbers at either school.

6. The Proposal

- 6.1 The proposal is to create a specialist ASD resource base for sixteen children from reception age through to Year 6 at Torridon Infant and Juniors Schools, Hazelbank Road, Catford, London, SE6 1TG.
- 6.2 This report seeks approval for carrying out consultation with identified stakeholders to ensure that the local authority has fully explored the views of stakeholders before publishing a statutory change notice for the proposal.
- 6.3 The proposal is part of the local authority plans to provide an increased number and range of school places for children with SEN, particularly ASD. The Mayor and Cabinet report of 3 October 2007 identified a high number of children with statements currently placed in schools outside the borough. It is not in the best interests of children that so many are placed outside their home communities. This proposal will contribute towards ensuring that more children can be educated in Lewisham. The development of a continuum of specialist provision will ensure greater flexibility of provision that can better meet the changing needs of the pupil population.
- 6.4 The local authority's transport policy will be applied to the proposal which should result in more children having their needs met closer to home. Every child attending the resource base will have their transport needs assessed and provision of transport will be dependent upon this.
- 6.5 The draft timetable for consultation on the proposal is set out below.

DATE	ACTION
22 February 2012	Mayor and Cabinet report seeking permission for consultation
14 March – 25 April 2012	Undertake consultation
30 May 2012	Mayor and Cabinet report on consultation outcomes, seeking permission to publish statutory change notice.
13 June 2012	If agreed, statutory change notice published and representation period begins
25 July 2012	Representation period closes
3 October 2012	Mayor and Cabinet report for determination of resource base

7. Financial Implications

- 7.1 A preliminary feasibility study was carried out in December 2010 to confirm the physical possibility of developing a specialist resource at Torridon Infant and Junior Schools.

- 7.2 Previous resource bases in Lewisham, i.e. at Perrymount, Tidemill and Athelney Primary Schools, have been developed for an average capital cost of £211,000. The estimated capital cost for the resource base at Torridon Infant and Junior Schools currently is estimated at £362k. However, if approved, the resource base delivery would involve recycling of facilities for the primary places project at the school and reduce the costs. The final scheme proposal will therefore be within the capital allocation set aside for resource based development. A sum of £350k has been identified within the 2012/13 Capital maintenance grant from DFE for resource base development. When moving from draft feasibility to final scheme proposal the aim will be to deliver the project within the £350k funding envelope.
- 7.3 Revenue costs, mainly for staffing and resources will be identified and built into the local authority's school funding scheme. Finance will be allocated to the school progressively as the provision is developed. All revenue costs will be met from the Dedicated Schools Grant.

8. Legal Implications

- 8.1 The Human Rights Act 1998 safeguards the rights of children in the borough to educational provision which the local authority is empowered to provide in compliance with its duties under domestic legislation.
- 8.2 Section 14 of the Education Act 1996 places a general duty on local authorities to secure that there are sufficient schools for providing primary and secondary school education and requires them in particular to have regard to the need to secure that special educational provision is made for pupils with special educational needs. Section 315 of the Education Act 1996 requires local authorities to keep their arrangements for special educational needs provision under review.
- 8.3 Section 9 of the Education Act 1996 places a general duty on local authorities and funding authorities to have regard to the general principle that children are educated in accordance with their parents' wishes, so far as that is compatible with the provision of efficient education and training and the avoidance of unreasonable public expenditure.
- 8.4 The Education and Inspections Act 2006 gives local authorities the responsibility for determining school reorganisation proposals in the first instance.
- 8.5 The Education and Inspections Act 2006 requires local authorities to consider and respond to parental representations when carrying out

their planning duty to make sure that there is sufficient primary and secondary provision and suitable SEN provision in their area.

- 8.6 Departmental guidance requires that when proposals are developed for reorganising or altering special educational needs provision local authorities and/or other proposers will need to show how they will improve standards, quality and/or range of educational provision for children with special educational needs. Such factors are addressed at paragraph 6.3 of this report.
- 8.7 Current legislative provision for the establishment, discontinuance or alteration of schools is contained in sections 7, 15 and 18 of and Schedule 2 to the Education and Inspections Act 2006. Those sections stipulate that proposers shall before publishing statutory proposals consult such persons as seem appropriate, having regard to any guidance issued by the Secretary of State.
- 8.8 Should the Mayor decide to pursue any of the proposals with regard to the prescribed alteration of Torricon Infant and Junior Schools as set out in this report, statutory notices will need to be issued in accordance with detailed procedure laid down in Schedule 2 to the Education and Inspections Act 2006 and supplemented by the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007.
- 8.9 Once statutory proposals are published there follows a 6 week statutory period during which representations can be made. Such representations must be sent to the local authority. Section 21 of the Education and Inspections Act 2006 provides for regulations to set out who should decide proposals for any prescribed alterations. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 make detailed provision for the consideration of prescribed alteration proposals. Most decisions will be taken by the local authority with some rights of appeal to the schools adjudicator.
- 8.10 If the local authority fails to decide proposals within 2 months of the end of the representation period the local authority must forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision within one week of the end of the 2 month period.

9. Crime and Disorder Implications

- 9.1 There are no direct crime and disorder implications arising from this report.

10. Equalities Implications

- 10.1 An Equalities Impact Assessment (EIA) has been completed for the SSP programme. Officers are currently in the process of updating the assessment in line with the Equalities Act 2010 and the Public Sector Equalities Duty dated April 2011. This will be completed by the end of April 2012.
- 10.2 In common with all aspects of education in Lewisham, close equalities monitoring is undertaken in relation to children with SEN. As the proposal is developed following consultation, the impact on equalities will be actively considered, and highlighted issues responded to.
- 10.3 The proposal in this report supports the achievement of the local authority's goals as set out in its Access Plan. It will assist significantly in the improved access to the curriculum for children with disabilities.

11. Environmental Implications

- 11.1 There are no direct implications arising from this report, although consideration will be given to the environmental impact of the building works. The design and specification of the resource base will be sympathetic to environmental issues and contractors will be expected to give a statement on their environmental policy.

12. Conclusion

- 12.1 The opening of a resource base for sixteen primary aged children with ASD at Torridon Infant and Junior Schools will contribute towards the development of a continuum of specialist provision within the borough, supporting our commitment to ensuring that as many children as possible can learn in their local community.

Background papers

None.

Originator

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