

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**2 NOVEMBER 2006**

**REPORT OF  
CORPORATE  
MANAGEMENT TEAM**

### **CABINET DECISION/KEY DECISION**

**Children and Young People – Lead Cabinet Member – Councillor Cunningham**

#### **PROPOSED CHANGES TO ABBEY HILL AND WESTLANDS SCHOOLS**

1. Summary

On 7 September Cabinet received a report on the outcome of a review of provision for pupils with special educational needs. Members agreed that consultation should take place on proposed changes including:

- a) the enlargement of Abbey Hill School Technology College to create 40 additional places for pupils aged 11-19 with autistic spectrum disorders (ASD);
- b) the removal of provision for pupils with ASD from Westlands School;

All the responses received from parents and carers, school staff and governors, health authorities and neighbouring local authorities have been positive. Some concerns were expressed about the impact of change on individual pupils, but no opposition to these changes has emerged. Members are therefore asked to agree the publication of a Statutory Notice formally proposing these changes for pupils with ASD.

Consultation is continuing on proposed changes to provision at Westlands School and King Edwin School for pupils with behavioural, emotional and social difficulty (BESD). This will be the subject of a separate report to Cabinet.

2. Recommendation

Members are asked to agree that a Statutory Notice be published inviting comment on a proposal to:

1. increase with effect from 1 September 2008 the number of planned places at Abbey Hill School Technology College from 230 to 270;
2. discontinue with effect from 31 August 2008 provision at Westlands School for pupils with autistic spectrum disorders.

A draft Notice is attached as Appendix 1 to this report.

### 3. Reasons for the Recommendations/Decision(s)

Sections 28 to 31 of the School Standards and Framework Act 1998 (modified in some details by the Education Act 2002) lay down a statutory procedure governing major changes to school organisation. Having taken account of all views expressed during consultation with interested parties, the next step is to publish a formal proposal by means of a Statutory Notice inviting comment from any person.

This would be followed by two months in which any person may comment in writing. After the expiry of that period, the Authority could determine to implement the proposal only if no written objections had been received. If there were objections, the proposal would normally be determined by the School Organisation Committee, taking account of all written comments (and the Authority's observations on them) and having regard to statutory guidance issued to decision-makers by the Secretary of State for Education and Skills. Any decision of the School Organisation Committee would be final. Should the Committee fail to agree, the proposal would be referred to an independent Adjudicator for decision.

### 4. Members' Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgment of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.**

**AGENDA ITEM**

**REPORT TO CABINET**

**2 NOVEMBER 2006**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

**CABINET DECISION/KEY DECISION**

**PROPOSED CHANGES TO ABBEY HILL AND WESTLANDS SCHOOLS**

**SUMMARY**

On 7 September Cabinet received a report on the outcome of a review of provision for pupils with special educational needs. Members agreed that consultation should take place on proposed changes including:

- a) the enlargement of Abbey Hill School Technology College to create 40 additional places for pupils aged 11-19 with autistic spectrum disorders (ASD);
- b) the removal of provision for pupils with ASD from Westlands School;

All the responses received from parents and carers, school staff and governors, health authorities and neighbouring local authorities have been positive. Some concerns were expressed about the impact of change on individual pupils, but no opposition to these changes has emerged. Members are therefore asked to agree the publication of a Statutory Notice formally proposing these changes for pupils with ASD.

Consultation is continuing on proposed changes to provision at Westlands School and King Edwin School for pupils with behavioural, emotional and social difficulty (BESD). This will be the subject of a separate report to Cabinet.

**RECOMMENDATION**

Members are asked to agree that a Statutory Notice be published inviting comment on a proposal to:

1. increase with effect from 1 September 2008 the number of planned places at Abbey Hill School Technology College from 230 to 270;
2. discontinue with effect from 31 August 2008 provision at Westlands School for pupils with autistic spectrum disorders.

A draft Notice is attached as Appendix 1 to this report.

## DETAIL

1. Westlands School currently caters for two different groups of pupils. Around 80 pupils at the school have behavioural, emotional and social difficulty (BESD), and about 40 have autistic spectrum disorders (ASD). No other special school is known to operate with this combination of provision. Discussions with the Headteachers and Governing Bodies of the special schools and other specialist settings maintained by the Authority revealed a consensus in support of separate provision for these groups of pupils.
2. It is intended that in future two schools will cater for pupils with ASD (or other learning difficulties) - Ash Trees for primary-age children, and Abbey Hill for those aged 11-19. Two other schools will provide for students with BESD - Westlands for pupils in KS2 and KS3 (aged 7 to 14), and King Edwin School for students aged 11-19.
3. Abbey Hill School and Technology College does not have sufficient capacity to offer places to all the students of secondary age with ASD currently at Westlands School. It is proposed that the school be enlarged with the creation of a new block to provide up to 40 additional places. A bid was made to the DfES Targeted Capital Fund for capital funds to support this project, and a grant of £800,000 has been awarded. This will be supplemented by £650,000 from existing CESC capital resources and £50,000 from the devolved formula capital budget available to the school.
4. The changes proposed in this report fall under the scope of Section 31 of the School Standards and Framework Act 1998. The Act requires that consultation take place with interested parties before the Authority considers whether to publish a Statutory Notice.

### Method of consultation

5. A detailed consultation paper was circulated to:
  - a) parents of children attending Abbey Hill and Westlands Schools;
  - b) all teaching and other staff of both schools;
  - c) representatives of staff unions and professional associations;
  - d) the Headteachers of all other special schools and special units maintained by the Authority;
  - e) the two Roman Catholic and two Anglican Dioceses;
  - f) other local authorities with children at these schools (Northumberland, Durham, Hartlepool, Middlesbrough, Darlington, Redcar & Cleveland, and North Yorkshire);
  - g) North Tees Teaching Primary Care Trust and North Tees and Hartlepool NHS Trust;
  - h) The Members of Parliament for Stockton North and Stockton South.
6. Meetings were held for parents or carers of children attending Abbey Hill or Westlands, for members of staff at the schools, and the proposal was discussed at a meeting of the governing body for the two federated schools.

### Views expressed by parents

7. Some parents of children at Westlands were concerned that the number of pupils at Abbey Hill might be daunting to children used to a smaller school. The Executive Headteacher explained that Abbey Hill operates as a series of smaller units tailored to the needs of pupils, and that the tertiary (post-16) centre is a separate building. The proposed new block might operate as a self-contained ASD unit or might work with the original building as upper and lower school blocks. He assured parents that class sizes

would not be increased as a result of this change. The staff-pupil ratio is currently better than that recommended by the National Autistic Society.

8. Teaching for autistic pupils at Abbey Hill is divided between lessons in their home base and subject activities (e.g. science, PE, music, technology and ICT) in appropriately equipped specialist rooms. For any group of pupils unsettled by moving from room to room, the activity can be brought to the children if necessary. Pupils at Westlands already make use of specialist facilities at Abbey Hill on occasion.
9. In response to a question about social areas and pupil interaction, the Executive Headteacher described the arrangements for lesson breaks and lunchtimes. Staggered break times are used at Abbey Hill, and separate areas are designated for vulnerable and highly dependent pupils. An enclosed social area has been designed specifically for use by autistic pupils, and there are extensive grounds on the site. Interaction among pupils with differing needs is not enforced, but is seen to produce many benefits for pupils when it arises naturally.
10. Parents welcomed information about the range of extra-curricular activities at Abbey Hill, including clubs operating at lunchtimes and after school, and an on-site youth club. This is open to pupils on three evenings, pupils and their families on one evening, and the local community on the fifth evening.
11. In response to a question it was confirmed that residential provision at Westlands would continue to be available if required by students with ASD after their transfer to Abbey Hill.
12. A small group of parents of children attending Westlands School made an unscheduled visit to Abbey Hill to see the facilities for themselves. At a subsequent meeting at Westlands School they declared their support for the proposed changes, and urged other parents to make similar visits. The Executive Headteacher extended an open invitation to all parents. Plans are in hand for pupils and staff from Westlands to visit Abbey Hill shortly.
13. No questions were asked about home-to-school transport, which will continue to be available to pupils on the basis on which it currently operates.

#### Views expressed by school staff

14. No member of staff voiced any opposition to this proposal. A written message of support was received from the head of the ASD unit at Westlands.
15. One individual asked whether staff members would be required to move from Westlands to Abbey Hill or King Edwin schools. All staffing decisions at maintained schools are matters for the Governing Body. The Executive Headteacher confirmed the intention of the federated Governing Body to achieve any staffing changes by negotiation. The majority of staff members approached has already expressed their willingness to move when the pupils do. All staff members were given contact details so that any individual issues might be discussed privately with HR officers.
16. A member of staff at Westlands School asked why the proposal included no firm commitment to major improvements to the premises at that school. It was explained that such improvements would depend on the announcement of future allocations of capital funding from central government expected after the Comprehensive Spending Review in 2007. Grant funding to enlarge Abbey Hill had been awarded in response to a successful bid to rationalise specialist provision between federated schools.

## Views expressed by the Governing Body

17. The Governing Body expressed support for the proposed changes in provision for pupils with ASD.

## Conclusions from the consultation process

18. No opposition to these proposed changes has emerged at any of the meetings or in any written messages.
19. A total of nine different parents or carers attended the four scheduled meetings (some of them more than once). More than one of these expressed disappointment that places cannot be made available for their children at Abbey Hill immediately. It is always difficult to draw firm conclusions from a small number of responses, but it is reasonable to say that anyone opposed to the proposals had ample opportunity to express that view.
20. A Statutory Notice must specify a firm date for implementing any proposed change. The dates given in the attached draft reflect the expected completion date for the proposed building works at Abbey Hill. It had been hoped that a completion date before the end of 2007 might have been possible, but this now seems unlikely, and September 2008 is considered entirely realistic.
21. Throughout this consultation, it has been emphasised that no pupil or member of school staff would be required to transfer to another school if they did not wish to do so. If the proposal is approved, a programme of visits will take place to allow pupils and staff at Westlands to become familiar with their federated partner school. There is much confidence that by summer 2008 support for the move to Abbey Hill will be close to 100%, but any pupil who feels unable to make the move will be supported to remain on roll at Westlands School.

## **FINANCIAL AND LEGAL IMPLICATIONS**

### **Financial**

Capital funding for the enlargement of Abbey Hill School would come from the DfES Targeted Capital Fund (£800,000 award confirmed), CESC capital budget (£650,000 from existing resources), and schools' devolved formula capital (£50,000 agreed by the federated governing body).

There are no implications for the overall education revenue budget. The two schools will continue to receive delegated budgets calculated by the agreed local formula.

### **Legal**

This proposal falls under Section 31 of the School Standards and Framework Act 1998, and Schedule 6 to that Act, both as modified by the Education Act 2002. The draft Statutory Notice appended to this report complies with statutory requirements.

## **RISK ASSESSMENT**

A risk assessment has been carried out. The proposal is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

## **COMMUNITY STRATEGY IMPLICATIONS**

### **Environment**

No significant implications. Around 40 pupils currently attending Westlands School in Thornaby would travel instead to Abbey Hill School in the Hardwick area of Stockton. The majority of these are not resident in Thornaby. They travel from many parts of the Borough, other Tees Valley areas and beyond.

### **Community Safety and Well-Being**

No implications.

### **Health**

No implications

### **Economic Regeneration**

No implications

### **Education and Lifelong Learning**

The proposal has been put forward with the aim of supporting improved delivery of the curriculum and pastoral care for pupils with complex needs.

### **Arts and Culture**

No implications

## **CONSULTATION INCLUDING WARD/COUNCILLORS**

Hardwick Ward: Councillor Mrs. EA Nesbitt and Councillor WH Noble were advised of this proposal because of the possible impact of the proposed building work at Abbey Hill School.

Other consultation is described in the body of the report.

**Name of Contact Officer: John Hegarty**

**Post Title: Planning and Policy Development Officer (CESC)**

**Telephone No. 01642 526477**

**Email Address: john.hegarty@stockton.gov.uk**

### Background Papers

School Organisation Plan 2006-09 available on the Council website.

Cabinet report dated 7 September 2006.

### Ward(s) and Ward Councillors:

Not ward-specific: special schools serve the entire Borough.

### Property

The proposed extension would increase the Authority's assets.

## STOCKTON-ON-TEES BOROUGH COUNCIL

### Proposed changes to Abbey Hill School Technology College and Westlands School

Notice is hereby given in accordance with section 31(1)(b) of the School Standards and Framework Act 1998 that Stockton-on-Tees Borough Council intends to make prescribed alterations to Abbey Hill School Technology College, Ketton Road, Stockton-on-Tees, TS19 8BU and Westlands School, Eltham Crescent, Thornaby, TS17 9RA.

It is proposed that the number of pupils attending Abbey Hill School Technology College be increased with effect from 1 September 2008. The school currently caters for 230 boys and girls aged from 11 to 19. It is proposed that the school should cater for 270 pupils.

It is proposed that provision for pupils with autistic spectrum disorders at Westlands School be discontinued with effect from 31 August 2008. At that time places will be available at Ash Trees School (for pupils aged under 11) or at Abbey Hill School Technology College (pupils 11-19).

Abbey Hill School Technology College provides for students with a range of special needs including severe learning difficulty, profound and multiple learning difficulty and autistic spectrum disorders.

Westlands School currently provides for students with behavioural, emotional and social difficulty and for pupils with autistic spectrum disorders.

Within two months after the date of publication of these proposals, any person may object to the proposals by sending their objections to:

Ann Baxter, Corporate Director for Children, Education and Social Care, Stockton-on-Tees Borough Council, Municipal Buildings, Stockton-on-Tees TS18 1XE.

Within one month after the end of the objection period, the Local Authority will send to the School Organisation Committee for the area copies of all objections made (and not withdrawn in writing) within the objection period, together with the Authority's observations on them.

Signed: Ann Baxter

Date: 11 November 2006

#### Explanatory Notes

1. Abbey Hill and Westlands Schools formed a federation in June 2006. The purpose of this proposal is to rationalise provision across the two sites. The enlargement of Abbey Hill School will enable all pupils aged 11-19 with ASD to be educated at a single centre. It is intended that in future Westlands School will specialise in catering for pupils with behavioural, emotional and social difficulty.
2. Parents of pupils attending these schools have been consulted by letter and through a series of meetings.