

## EXECUTIVE DECISION NOTICE

<b>SERVICE AREA:</b>	<b>CHILDREN'S SERVICES</b> Education
<b>SUBJECT MATTER:</b>	<b>STATUTORY CONSULTATION ON SCHOOL ORGANISATION PROPOSALS</b>
<b>DECISION:</b>	That it be DETERMINED that: the formal consultation on the statutory school organisation proposal to create Years 12 – 14 provision by expanding the age range at Cromwell High School from 11 – 16 years of age to 11 – 19 years of age begins on 10 May 2021. The Year 12 – 14 provision will be for an additional 40 young people across all three year groups
<b>DECISION TAKER(S):</b>	Councillor Leanne Feeley
<b>DESIGNATION OF DECISION TAKER (S):</b>	Executive Member (Lifelong Learning, Equalities, Culture and Heritage)
<b>DATE OF DECISION:</b>	7 April 2021
<b>REASON FOR DECISION:</b>	The decision is needed to ensure that the Council follows School Organisation regulations by setting a date to implement the consultation on making a prescribed alteration at Cromwell High School to increase places available for children and young people with complex needs.
<b>ALTERNATIVE OPTIONS REJECTED (if any):</b>	Local authorities have a statutory duty to ensure that there are sufficient school places to meet the needs of the area. The duty includes a requirement to consult on school organisation proposals.
<b>CONSULTEES:</b>	The school has been consulted about the proposals
<b>FINANCIAL IMPLICATIONS: (Authorised by Section 151 Officer)</b>	<p>This decision is to agree to consult on expanding the age range at Cromwell High School and therefore there are currently no direct financial implications. Special Provision Capital Funding of £555,000 has been approved to progress the project at Cromwell High School. Once consultation is complete a further report will be required which will include full details of the financial implications of delivering the project.</p> <p>The report also includes recommendations regarding projects at Hawthorns Primary School and implementation of additional resource provision in the borough. At this stage these projects are still in development and the financial implications will be considered as part of the outline business cases. The financial implications and necessary approvals will then be brought forward through the relevant governance processes.</p>
<b>LEGAL IMPLICATIONS: (Authorised by Borough Solicitor)</b>	As set out in the main body of the report Local Authorities have a statutory duty to ensure that there are sufficient school places to meet the educational needs of the area. Part of that duty extends to a requirement to consult on school organisational proposals. Failure to consult could leave the council open to legal challenge and additionally result in the

	<p>council failing in its duty to ensure that there are sufficient school places which would be a detriment to the residents of Tameside.</p> <p>The project officers need to ensure that the requirements for conducting the consultation are adhered to and that the outcome of the consultation a reported back to the decision makers who consider the outcome of the consultation carefully and fully before any decision is made.</p>
<b>CONFLICT OF INTEREST:</b>	N/A
<b>DISPENSATION GRANTED BY STANDARDS COMMITTEE ATTACHED:</b>	N/A
<b>ACCESS TO INFORMATION:</b>	<p>The background papers relating to this report can be inspected by contacting the Report Writer, Catherine Moseley by:</p> <p> Telephone: 0161 342 3302</p> <p> E-mail: <a href="mailto:catherine.moseley@tameside.gov.uk">catherine.moseley@tameside.gov.uk</a></p>



Signed

Dated: 23 April 2021

Councillor Leanne Feeley, Executive Member (Lifelong Learning, Equalities, Culture and Heritage)

## EXECUTIVE DECISION REPORT

<b>SERVICE AREA:</b>	<b>CHILDREN'S SERVICES</b> Education
<b>SUBJECT MATTER:</b>	<b>STATUTORY CONSULTATION ON SCHOOL ORGANISATION PROPOSALS AND UPDATE ON BASIC NEED CAPITAL PROJECTS FOR PRIMARY, SECONDARY AND SPECIAL EDUCATION PROVISION</b>
<b>DATE OF DECISION:</b>	7 April 2021
<b>DECISION TAKER(S):</b>	Councillor Leanne Feeley
<b>DESIGNATION OF DECISION TAKER (S):</b>	Executive Member (Lifelong Learning, Equalities, Culture and Heritage)
<b>REPORTING OFFICER:</b>	Tim Bowman - Assistant Director - Education
<b>REPORT SUMMARY:</b>	The report provides and update on the Education Basic Need Capital programme. It provides background on the work undertaken since 2009 to increase places in the borough and outlines the work that is currently being undertaken to expand the specialist estate to meet the needs of our children and young people with Education Health and Care Plans who need specialist provision. The report further explains the need to follow school organisation regulations to increase places at Cromwell High School
<b>RECOMMENDATIONS:</b>	It is recommended that that the formal consultation on the statutory school organisation proposal to create Years 12 – 14 provision by expanding the age range at Cromwell High School from 11 – 16 years of age to 11 – 19 years of age begins on 10 May 2021. The Year 12 – 14 provision will be for an additional 40 young people across all three year groups
<b>JUSTIFICATION FOR THE DECISION:</b>	The decision is needed to ensure that the Council follows School Organisation regulations by setting a date to implement the consultation on making a prescribed alteration at Cromwell High School to increase places available for children and young people with complex needs.
<b>ALTERNATIVE OPTIONS REJECTED (if any):</b>	N/A
<b>CONSULTEES:</b>	The school has been consulted about the proposals
<b>FINANCIAL IMPLICATIONS: (Authorised by Section 151 Officer)</b>	This decision is to agree to consult on expanding the age range at Cromwell High School and therefore there are currently no direct financial implications. Special Provision Capital Funding of £555,000 has been approved to progress the project at Cromwell High School. Once consultation is complete a further report will be required which will include full details of the financial implications of delivering the project.  The report also includes recommendations regarding projects at Hawthorns Primary School and implementation of additional

	<p>resource provision in the borough. At this stage these projects are still in development and the financial implications will be considered as part of the outline business cases. The financial implications and necessary approvals will then be brought forward through the relevant governance processes.</p>
<p><b>LEGAL IMPLICATIONS: (Authorised by Borough Solicitor)</b></p>	<p>As set out in the main body of the report Local Authorities have a statutory duty to ensure that there are sufficient school places to meet the educational needs of the area. Part of that duty extends to a requirement to consult on school organisational proposals. Failure to consult could leave the council open to legal challenge and additionally result in the council failing in its duty to ensure that there are sufficient school places which would be a detriment to the residents of Tameside.</p> <p>The project officers need to ensure that the requirements for conducting the consultation are adhered to and that the outcome of the consultation is reported back to the decision makers who consider the outcome of the consultation carefully and fully before any decision is made.</p>
<p><b>CONFLICT OF INTEREST:</b></p>	<p>N/A</p>
<p><b>DISPENSATION GRANTED BY STANDARDS COMMITTEE ATTACHED:</b></p>	<p>N/A</p>
<p><b>ACCESS TO INFORMATION:</b></p>	<p>The background papers relating to this report can be inspected by contacting the Report Writer, Catherine Moseley by:</p> <p> Telephone: 0161 342 3302</p> <p> E-mail: <a href="mailto:catherine.moseley@tameside.gov.uk">catherine.moseley@tameside.gov.uk</a></p>

## **1. INTRODUCTION AND BACKGROUND**

- 1.1 All local authorities have a statutory duty to ensure that there are sufficient school places to meet demand in their area. Planning for fluctuations in demand for school places is an important function which needs to be carried out at a local level and will differ depending on the phase of learning, for example, pupils will travel further to secondary schools than primary schools. The compact geography of the borough and the mix of types of school, for example, single sex means that place planning happens at a level higher than wards or towns.
- 1.2 School place planning is a complex process that takes account a range of factors including the number of births in the borough, in year movement and cohort survival rates (how many children move from one year to the next) as well as parental preference and planned housing development. With rapid shifts in economic conditions for families and changing patterns of migration, planning for basic need for school places requires a proactive approach to best respond to both short and medium-term demand for places.
- 1.3 The Council has been proactive in tackling the issue of a 27% rise in births and a 24% increase in pupils starting primary schools over the last few years whilst also managing to maintain high levels of meeting parental preference.
- 1.4 The Published Admission Number (PAN) has been increased at many primary schools and overall by almost 18% from 2734 places in 2009/10 to 3195 places currently and we are now increasing secondary school places. In 2010, there were 2582 pupils in Year 7 and for September 2021, there are 3239 places available. With the cooperation of secondary schools across the borough, it is predicted that will be sufficient places for predicted demand for the next few years. However, major new housing developments will require additional places to be factored over a number of years.
- 1.5 As the numbers of pupils in mainstream schools increases, so does the number of pupils in specialist provision. In 2014/15, there were 519 children with a statement of special educational needs. As of January 2021, there were 1738 children and young people with an Education, Health and Care Plan. There has been some expansion of specialist provision in the borough but more is needed to ensure that needs are met appropriately and within the borough if possible.
- 1.6 The Council's strategy and plans to meet future forecast demand are approved by Executive Cabinet at least on an annual basis when school admission arrangements are also determined. The latest approval was on 27 January 2021. Progress on all education capital projects is reported to Strategic Planning and Capital Monitoring Panel.
- 1.7 Most of these increases in pupil numbers and admission numbers have necessitated capital work to expand the accommodation available in some of our schools. This has been funded through the Basic Need Grant from the Department for Education. Between 2011 and 2019, the Council received a total of £42,745,350 to fund additional places in the borough. A further £12,231,816 has been allocated for 2021-22 and £6,348,338 for 2022-23. In addition to Basic Need Funding, the Council has also received an allocation of £1,075,921 for the period 2018 – 21 from the special capital fund for provision in specialist settings.
- 1.8 The Council and other responsible bodies in the borough receive separate funding to address school condition issues.

## **2 PRIMARY SCHOOL CAPITAL PROJECTS**

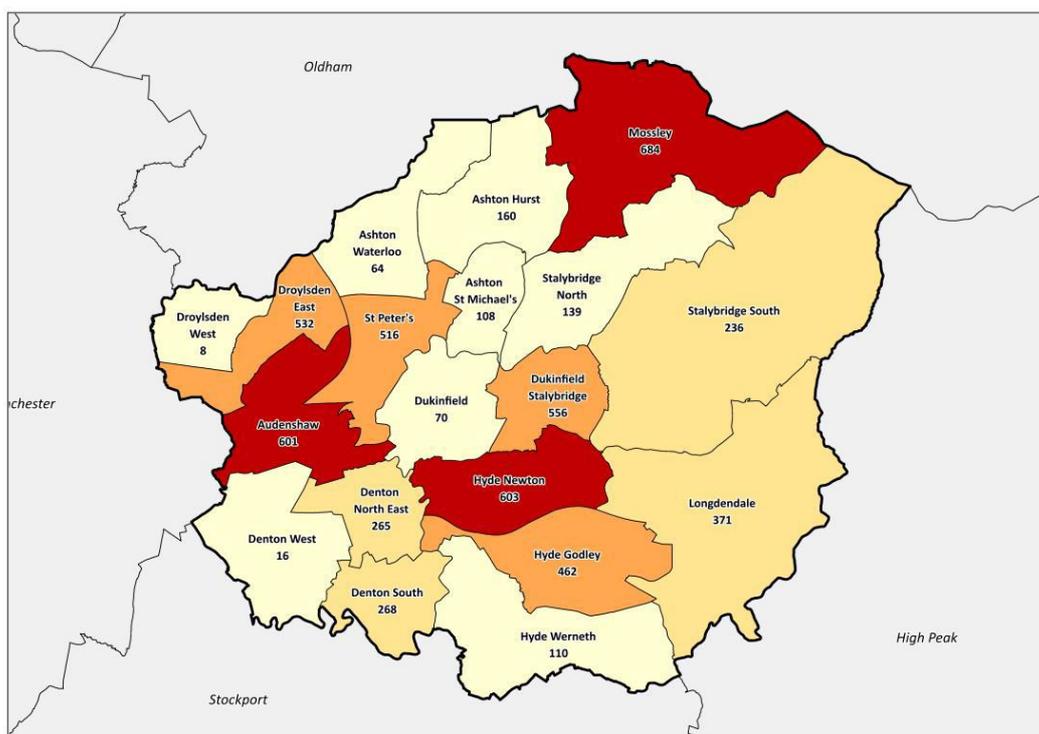
- 2.1 The increases in primary school places began in 2009 when the birth rate began to rise. Over the years, an additional 3334 places have been created in 36 of our primary schools.
- 2.2 This increase has been achieved through a mixture of permanent and temporary increases. For example at Holden Clough a new school was built through the Priority Schools Building Programme and increased the intake of the school from 30 per year group to 60; or at Ashton West End where remodelling of the accommodation enabled the school to increase their admission number from 45 to 60 per year group on a permanent basis.
- 2.3 We have also been able to open two completely new schools; Inspire and Discovery Academies in Ashton and Hyde respectively which can accommodate up to 120 pupils per year group.
- 2.4 There have also been some temporary increases where schools have taken a bulge class, a one off temporary increase in the admission number of the school, and this has been achieved through remodelling internal space, for example, making an IT suite into a classroom or adding temporary demountable classrooms. The pupils in the first four bulge classes that we put into primary schools in September 2013 left Year 6 in summer 2020.
- 2.5 There are still two projects to expand primary schools that are not yet complete. They are at Aldwyn Primary School where we are increasing the Published Admission Number from 45 to 60 and St John's Primary School where we are increasing the Published Admission Number from 30 to 45. Contracts for both projects have now been signed.

## **3 SECONDARY SCHOOL CAPITAL PROJECTS**

- 3.1 As with primary schools, the Council has worked with our secondary school headteachers to increase places as the numbers come through from primary schools. The first increases in secondary school admission numbers took place in 2012. Since that time, an additional 2310 places have so far been created across all year groups in 10 of the 16 secondary schools. This represents an 11% increase with plans for further increases over the next three years.
- 3.2 As the number of places has risen, so has the number of children starting at secondary schools in September. In 2010, there were 2582 pupils in Year 7 and for September 2020, 2993 places were allocated, a 16% rise in demand.
- 3.3 Again, the additionality has been achieved through some internal remodelling of space, temporary demountable classrooms and the opening of Laurus Ryecroft School.
- 3.4 There are several on-going capital projects with our secondary schools including at Audenshaw School, Rayner Stephens High School and All Saints Catholic College. A scheme and timescale for Audenshaw School has been agreed, this will be project managed by the Council. Schemes are currently being developed with both All Saints and Rayner Stephens and provisional budgets have been allocated through the Strategic Planning and Capital Monitoring Panel. Should additional funding be needed to complete the schemes, this will be recommended to members through usual governance processes.
- 3.5 In partnership with our secondary schools, we have been able to close the gap for additional places in September 2021 and 2023.

## 4 HOUSING DEVELOPMENT

- 4.1 Another core factor in planning school places, is the amount of new housing development being planned in the borough. The Council undertakes a housing yield analysis on an annual basis. The analysis looks at ten new development sites and matches new housing development postcodes to new pupil data from the January 2019 school census together with housing information from the Land Registry and Royal Mail to give intelligence on house move statistics and geographical distribution of the population movement into new development postcodes.
- 4.2 The estimate of the number of pupils resulting from new housing developments is a key element of the school place planning process for Tameside Council. Over the next ten years, housing growth is anticipated in each of Tameside's nineteen wards, with the highest levels of growth expected in the wards of Mossley (+684 units), Hyde Newton (+603 units) and Audenshaw (+601 units).



- 4.3 Planning for school places will also need to take account of significant areas of proposed new development including sites in Hyde South and Godley Green and work is underway to determine the level of need for additional school places in these areas. The impact on school admissions will also need to be monitored closely to ensure fair access to school places across geographical areas.
- 4.4 As an overall model for calculating pupil yield and developer contributions, the Council uses a pupil yield per new home of 0.23 for primary aged pupils and 0.10 for secondary aged pupils. This is predicted to lead to the following number of additional pupils:

	Housing numbers	Primary places	Secondary places
2021/22	425	98	43
2022/23	415	95	42
2023/24	409	94	41
2024/25	406	93	41
2025/26	239	55	24

	Housing numbers	Primary places	Secondary places
2026/27	330	76	33
2027/28	461	106	46
2028/29	720	166	72
2029/30	723	166	72
2030/31	668	154	67
2031/32	394	91	39
<b>TOTAL</b>	<b>5190</b>	<b>1194</b>	<b>519</b>
Source 2020 SHELAA			

- 4.5 Predicted additional pupil numbers does not necessarily equate to needing to create the same number of additional places as there will be surplus capacity in some schools that can be used to absorb additional children in an area. Planning school places on an annual basis allows maximum flexibility in responding to demand.
- 4.6 Developer contributions will always be sought in order to support capital developments to meet predicted demand.

## 5 SPECIALIST PROVISION CAPITAL PROJECTS

- 5.1 As with primary and secondary schools, there have been some permanent increases in places across the special school estate. For example, an additional 60 place ASC unit was built at Samuel Laycock School and Oakdale Primary School has expanded provision through remodelling of nursery space and the Children's Centre. Following the fire at Cromwell School in 2016, some additional accommodation was provided as part of the rebuild.
- 5.2 However, there has been a significant increase in children requiring specialist provision over recent years. The SEND Forward Plan 2019-22 was developed with parents and carers, schools and other education providers and professionals working in the area of SEND, and children and young people to set out what the Council will do to develop and improve education provision for children and young people with SEND in Tameside. The plan will also develop and be refined as time goes on so, if needed, the actions in it are the right ones.
- 5.3 One of the intentions clearly set out in the Plan is that the Council wants all children and young people with SEND in Tameside to be able to attend a school or provision, as close to their home as possible.
- 5.4 There are over 600 children and young people in Tameside special schools. If things stay the same, the plan predicts that there will be a need for around 120 extra special school places by 2024, with over 200 specialist places in mainstream and independent schools to meet the needs of Tameside children and young people with EHCPs. In addition, there are some particular issues linked to the overall special school offer in the Borough.
- 5.5 There are currently 181 pupils attending schools and colleges outside of Tameside. These are attending other local authority special schools, independent, non-maintained schools or special free schools or special academies outside of Tameside. This means a number of pupils are often not being educated close to their home. This puts more pressure on the budget, both for special school provision and for transport particularly for more complex needs including ASC. The remainder of these children and young people attend a range of establishments such as further education colleges and other local authority mainstream schools.

- 5.6 During consultations with parents on developing the forward plan, it became clear that there was a gap in post 16 provision for young people with complex needs. Parents put forward the need to develop additional choice at the end of year 11. The forward plan agreed that some young people with complex needs are not ready to transition to specialist college provision at the end of Year 11 and there needs to be more Post 16 places in special schools for those that need that provision. Attention needs to be given to the provision to meet the needs of certain students as they move into adulthood.
- 5.7 The Forward Plan identified the following priorities for additional provision:
- Develop sixth form provision at Cromwell High School
  - Increase special school places for primary aged children at Hawthorns Primary School
  - Create a short term nurture provision for Key Stage 1 pupils within Thomas Ashton School
  - Increase the amount of resourced provision across the Borough with a focus on the main areas of need: SEMH, ASC and the prevalence of MLD so that there are at least three Resource Bases, capable of supporting 10 pupils, in each Neighbourhood. This would entail either having existing space refurbished, or extensions built.

### **Year 12 to 14 Provision at Cromwell High School**

- 5.8 The school, colleagues in Education and Rayner Stephens High School have worked over the last two years to identify how sixth form provision could be established at Cromwell High School in line with the priorities outlined in the SEND Forward Plan. The project has been a priority for parents as they felt there was a gap in post 16 provision of this type within the borough.
- 5.9 Whilst the site of the co-located schools is big and shares boundaries with two other schools (Yew Tree Primary School and Oakdale School), there are restrictions which mean that building additional accommodation is extremely difficult and therefore, likely to be high cost. Alternative options were therefore explored.
- 5.10 Phase One of the plan involved classrooms that the Schools Library Service had rented from Rayner Stephens being identified as suitable for sixth form accommodation as they are next to existing Cromwell School classrooms. A lease agreement was agreed with Rayner Stephens High School for these rooms and they have been remodelled to allow a pilot sixth form scheme to operate since September 2019. Phase One of the plan is now complete.
- 5.11 Over the last few months, negotiations have been on going with Rayner Stephens High School and the Stamford Park Trust to agree a lease agreement for further accommodation to enable the school to permanently establish sixth form provision on site. This will form Phase Two of the plan.
- 5.12 Once the lease agreement has been agreed, the Council will need to pursue statutory school organisation proposals to increase the age range of Cromwell School from Year 7 to Year 14 and a plan to remodel the space will be developed through the Capital Programmes Team. The potential for a further workshop teaching space has been identified on site and proposals to develop this will be drawn into Phase Two. It is anticipated that Phase Two will be complete by September 2021. The Council will now need to pursue statutory school organisation proposals to expand onto an additional site.
- 5.13 Phase Three of the plan to develop sixth form provision at Cromwell School will scope out the possibility of off-site accommodation to provide further preparation for adulthood opportunities. Phase Three will also see the development of a comprehensive capital plan to ensure provision that neighbouring Cromwell and Oakdale Schools can continue to meet the needs of our pupils with complex needs into the future.

### **Increase Special School Places for Primary Aged Children at Hawthorns Primary School**

- 5.14 Hawthorns School is an outstanding primary special school located within the Audenshaw area of Tameside and caters for pupils with a range of complex special educational needs aged between 4-11 years old. As a result of growing pupil numbers and to meet expected need for additional places, there is a need to provide additional teaching accommodation to accommodate both the current number of pupils enrolled at the school and the increases in admissions forecast over the coming years.
- 5.15 The main school building was originally constructed in 2006/07, the main building and site is shared between Hawthorns School and Aldwyn Primary School, a mainstream primary school.
- 5.16 The area of the school building designated as Hawthorns School was originally designed to accommodate 60 pupils. In 2015, it was identified that additional accommodation was needed and so a joint scheme to expand both Hawthorns and Aldwyn Primary School was developed. The scheme for Hawthorns included internal remodelling to create an additional classroom and a new build classroom. The internal remodelling work was completed. However, for a number of reasons, the joint external build scheme has not progressed as quickly as would have been ideal and so the opportunity has arisen to reconsider the scheme given the significant increase in pupil numbers at the school.
- 5.17 There are 136 pupils on site, more than double the number the school was originally built for. A four classroom demountable extension is currently on site to help the school accommodate the additional pupils but this is not a permanent solution and does not reinstate staff space already utilised for additional pupils.
- 5.18 This position cannot be allowed to continue and so a number of potential options are being considered to accommodate both the current number of pupils enrolled at the school and the increases in admissions forecast over the coming years to enable a total of 220 pupils to attend the school.
- 5.19 A formal options appraisal is currently being undertaken and an outline business case will be developed for consideration by members. Consideration will be given to the pros and cons of different ways of procuring new accommodation. As Hawthorns is an academy, the Council could chose a design and build contract funded through a grant agreement to the New Bridge Trust. Alternatively, the Council could be responsible for a design and build scheme.
- 5.20 A number of short term alternative accommodation options to reduce the number of pupils in the current Hawthorns School buildings are being considered with the aim of being available from September 2021.
- 5.21 Once the Council has considered the options appraisal and agreed a procurement route through appropriate governance routes, New Bridge Academy Trust will be required to undertake relevant statutory school organisation proposals and the Council will be a key consultee.

#### **Short Term Nurture Provision for Key Stage 1 and 2 Pupils Within Thomas Ashton School**

- 5.22 In order to address a significant increase in children requiring specialist SEMH provision, and in conjunction with the school, the Inclusion Team identified suitable accommodation for additional primary nurture provision in the borough at Discovery Academy. A lease agreement was agreed in July 2020 for space that would accommodate additional short term nurture provision for Key Stage 1 and 2 pupils and also the SEND Behaviour Support Service.
- 5.23 The provision based at Discovery Academy presented the opportunity to co-locate with a mainstream primary school and open up opportunities for joint work and possible reintegration into mainstream provision for this group of children. The two large, additional

classrooms at Discovery Academy will allow Thomas Ashton to accommodate up to 16 additional pupils.

5.24 In September 2020 this provision opened to pupils.

### **Increase the Amount of Resourced Provision Across the Borough**

5.25 The SEND Forward Plan identifies the need to develop additional resourced provision across the borough to meet the needs of pupils identified as requiring enhanced provision but not a special school place.

5.26 Targeted provision is provision that is more specialist than mainstream schools, providing a higher level of support for children and young people with SEND, but not a special school. This may be shorter term provision to support a child into the most appropriate provision, or a longer term placement attached to a mainstream school. Tameside resource bases do not all provide a longer term option for placement, which means that children and young people may move straight from mainstream to special school when their needs could be met in a longer term targeted mainstream placement. This is a gap in the borough's provision.

5.27 There are currently resource bases in the borough at St John Fisher Primary School and St Thomas More RC College for ASC provision; Linden Road Primary for Hearing Impaired Provision; Russell Scott Primary, The Heys Primary School and Oakfield Primary School for pupils with moderate learning difficulties (MLD).

5.28 The Forward Plan identifies that the Council will begin to commission new targeted mainstream provision model with a greater emphasis on highly supported resource based provision for a small number of children. This will:

- Be related to the level and type of need in different neighbourhoods across the Borough
- Be small group focused provision, for both boys and girls, attached to mainstream schools,
- Be provided for primary and secondary pupils,
- Include a higher level of specialist staffing to meet need, linked with social care and health provision where appropriate,
- Prioritise the two greatest areas of need: Communication and Interaction (including autism) and SEMH, (however, consideration needs to be given to lower levels of need that are currently in Special Schools in order to free up places.)
- Provide a small number of 'flexible' places at primary level to support the specific needs of identified groups of pupils who may require shorter term placements. 'Flexible' places would provide a quick response and short term placements would give pupils enhanced support to be included in mainstream school or to assist in identifying appropriate provision to meet their needs.

5.29 It is anticipated that up to four additional resource bases in primary schools will begin a pilot phase from September 2021. A project to identify schools wishing to establish resourced provision is underway and several schools have already agreed to consider the proposal. Any recommendations to approve additional provision may result in new capital projects if remodelled or additional accommodation is required. Governance will be sought for these projects where capital funding is required and monitored through Strategic Planning and Capital Monitoring Panel.

5.30 It is anticipated that an additional four resource bases will be established in secondary schools from September 2022 and four primary resource bases will be established in primary schools from September 2023.

5.31 The Council or the relevant academy trusts will need to pursue statutory school organisation proposals to establish or alter special educational needs (SEN) provision.

## 6 STATUTORY SCHOOL ORGANISATION PROPOSALS

### Government guidance

- 6.1 The Department for Education issues guidance on making 'prescribed alterations' to maintained schools. The purpose of the guidance is to ensure that good quality school places can be provided quickly where they are needed; that local authorities (LAs) and governing bodies (GBs) do not take decisions that will have a negative impact on other schools in the area; and that changes can be implemented quickly and effectively where there is a strong case for doing so.
- 6.2 A Governing Body, Local Authority or the [Schools Adjudicator](#) must have regard to the guidance when exercising functions under [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#) ('the Prescribed Alterations Regulations'). It should be read in conjunction with Parts 2 and 3 and Schedule 3 of the [Education and Inspections Act \(EIA\) 2006](#) and the Prescribed Alterations Regulations. It also relates to the [Establishment and Discontinuance Regulations](#) and [The School Organisation \(Removal of Foundation, Reduction in the Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations \(2007\)](#) ('the 'Removal Regulations').
- 6.3 School organisation proposals are needed in a range of scenarios, for example, changing the age range of a school by adding a nursery or moving a school to a new site. The guidance sets out the processes that must be followed.
- 6.4 The guidance sets out that where a local authority is a decision maker, it must make a decision within a period of two months of the end of the representation period. Where a decision is not made within this time frame, the LA must refer the proposal to the Schools Adjudicator for a decision.

### Timescales

- 6.5 The timescales for making a prescribed alteration to a community, Voluntary Controlled or Voluntary Aided school covered under the DfE guidance are as follows:

Stage	Actions	Timescale
Initiation	Agree proposals. Formulate consultation document	2 weeks
	Draft statutory notice in conjunction with Legal Services	2 weeks
	Notify governing body of intention to consult	
Stage 1 Publication	Publish proposals Must be on website and in local newspaper	
Stage 2 Representation	Consult	4 weeks term time minimum
Stage 3 Decision	Decision through governance procedures (Exec Cabinet) Decision paper must include: <ul style="list-style-type: none"> <li>• Consideration of equal opportunities issues – EIA</li> <li>• Community cohesion</li> <li>• Travel and accessibility</li> <li>• Funding</li> <li>• Accommodation issues</li> </ul>	8 weeks maximum
	Right of appeal	Within 4 weeks of decision
Stage 4	Implementation	
	TOTAL	16 weeks minimum

### Proposal – Cromwell High School

- 6.6 Sections 5.8 - 5.13 outline the proposal to establish Year 12 -14 provision at Cromwell High School. This is to increase post 16 provision available for young people with complex needs. The school have been operating a pilot scheme since September 2019 and the provision has now increased in popularity to the point where it needs formalising within the school.
- 6.7 The proposal is to consult from 10 May 2021 for a period of 4 term time weeks to increase the age range at the school from 11 – 16 to 11 – 19. The 16 – 19 provision will be for three year groups, Years 12, 13 and 14 and will increase the number of places by 40 additional pupils across the three year groups.

### **Consultation process**

- 6.8 The consultation will run from 10 May 2021 until 11 June 2021 inclusive. It is anticipated that consultation will follow DfE processes but will include the governing body of the school; parents; elected members; local MPs; other interested schools and neighbouring local authorities. Consultation will take place through websites; the local press and meetings with interested parties.
- 6.9 The DfE guidance says that a decision on proposals must be made within 8 weeks of the end of the consultation period meaning that a decision must be made by 6 August at the latest.

## **7 CONCLUSION**

- 7.1 The gap in primary and secondary school places has now largely been met although some of the capital schemes to support the increase in pupil numbers remain outstanding. However, there is now a need to move forward on addressing the gaps in the specialist provision available to our children and young people who need specialist provision. Plans are forming to address these gaps and members are requested to endorse the recommendations set out at the front of the report to move these plans forward.

## **8 RECOMMENDATIONS**

- 8.1 As set out at the front of the report.