



Executive
15 March 2010

**Report from the Director of
Children and Families**

Wards affected:
ALL

**Determination of proposals to discontinue Grove Park
Special School and alter Hay Lane Special School**

Forward Plan Ref: C&F-09/10-021

1 Summary

- 1.1 This report seeks the Executive's determination of the statutory proposals (published on 31 December 2009) to discontinue Grove Park Special School and alter Hay Lane Special School (see Appendix A). The representation period ended on 12 February 2010. The net effect of determining these proposals as recommended is to discontinue Grove Park Special School and to expand Hay Lane Special School so that all the children registered at Grove Park Special School can move to Hay Lane Special School.
- 1.2 The London Borough of Brent (the Local Authority or LA) has proposed to discontinue Grove Park Special School, London, NW9 0JY on 31 August 2010 and to expand Hay Lane Special School from 1 September 2010 so that it has sufficient places and is suitable to admit all pupils registered at Grove Park as at 31 August 2010. Thus every pupil registered at either school on 31 August 2010 who but for these proposals would have continued their education at either Hay Lane or Grove Park Special School is guaranteed a place at the enlarged Hay Lane Special School, Grove Park, London, NW9 0JY.
- 1.3 The Local Authority proposes to increase the number of pupils at Hay Lane Special School from its current 120 places to 235 places in two stages. The first to 210 places will be implemented on 1 September 2010. The second will occur when the rebuilding of the school is completed. That is expected to be by the Summer of 2013.
- 1.4 This report seeks Executive approval to:
- 1.4.1 discontinue Grove Park Special School on 31 August 2010.
 - 1.4.2 alter Hay Lane Special School, expanding its places from 120 places to 235 places in two stages as described above and broaden the type of educational needs for which Hay Lane School is organised to enable all pupils of Grove Park Special School to attend that school.
- 1.5 These proposals are related. If either proposal is not agreed the other falls.

2 Recommendations

The Executive are requested to:

- 2.1 Approve the statutory proposal published on 31 December 2009 to discontinue Grove Park Special School with effect from 31 August 2010;

and

- 2.2 Approve the statutory proposal published on 31 December 2009 to alter to Hay Lane Special School so that it

- 2.2.1 provides 210 places from 1 September 2010;
- 2.2.2 meets the range of needs set out in paragraph 3.2.11
- 2.2.3 can admit all pupils who would, but for these proposals, have continued their education at Grove Park Special School on and after 1 September 2010: and
- 2.2.4 provides 235 places dependent on the completion of the rebuilding of the school, which is expected to be completed by the Summer of 2013. A decision on the rebuilding of the resultant expanded Hay Lane School is anticipated in April 2010.

3 Detail

3.1 Background

- 3.1.1 Hay Lane and Grove Park are two all age community special schools located on adjacent sites off Stag Lane in Kingsbury. The schools cater for a wide range of special educational needs including profound and multiple learning difficulties, severe learning difficulties, autism with associated learning and behavioural difficulties and physical disabilities. The range and complexity of needs of children attending the two schools are increasing and there is an increasing overlap in the type of needs that the two schools serve.
- 3.1.2 Both schools are for boys and girls, aged mainly between 3 and 19 years. Grove Park Special School offers 90 places and Hay Lane Special School offers 120 places. A total of 203 (108 boys and 95 girls) pupils are currently on roll at the two schools. All the pupils have special educational needs (SEN). 86 of the 203 pupils have very complex needs.
- 3.1.3 Both schools are facing major suitability and condition problems. The educational environment the schools provide is becoming ever more unsuitable as the range and complexity of children's needs increases. Given the current state of the buildings it is becoming increasingly difficult for the Council to meet its statutory obligations towards these children.
- 3.1.4 Access to the buildings is limited causing congestion in the school driveways and adjacent roads twice every school day as some 200 pupils are transported to and collected from the sites by a range of vehicles (mini buses, cars, taxis, etc.).
- 3.1.5 The distinction between the two schools is blurring as the degree of collaboration between them and the overlap in the needs of their pupils grows. The schools are now governed by a single governing body in a hard federation formed on 1 September 2009. This has promoted joint planning and joint working. Similarly the skills among staff are increasingly relevant to both school communities. Those skills and teaching facilities could be deployed to the greater benefit of all pupils if the organisation as two schools were changed. Therefore the LA believes that forming one school is the right way forward in its drive to raise standards. These ideas are explored more fully in the

background papers and in Appendix A (Consultation on Proposal to Reorganise as One School).

- 3.1.6 The Local Authority consulted between 10 July 2009 and 13 November 2009 on the various options for reorganising the two schools. Following wide consultation with stakeholders the Council's preferred option, namely to close one of the schools and to expand the other won support. The Council therefore issued the necessary statutory notices on 31 December 2009. The Executive is now recommended to determine those proposals

In tandem with this proposal to reorganise the schools is a proposal to rebuild the resultant school so that it meets current educational standards for special needs children and meets modern safety and environmental standards. A financial investment appraisal and initial study shows that refurbishing and extending the existing buildings on the current site is not practical. Details about this proposal to rebuild the school and to the associated decant of pupils during the construction phase is being submitted to the April Executive following the decisions made by the Executive on 29 May 2009. It is also important to note that managing the rebuild period with two separate schools is simply not possible to the degree to which the two schools would need to share accommodation, staff and resources to make it work.

3.2 The Proposal for Reorganisation of Grove Park and Hay Lane Special Schools

- 3.2.1 The Local Authority simultaneously published two related statutory notices on 31 December 2009 to:
- a) Discontinue Grove Park Special School on 31 August 2010
 - b) Alter Hay Lane Special School by
 - i) increasing the number of places from 120 to 210 places from 1 September 2010;
 - ii) broadening the type of educational needs for which the school is organised to make it suitable for all pupils currently educated at Grove Park School also from 1 September 2010; and
 - iii) increasing the number of places to 235 from a date determined by when the building works to rebuild the school are completed which is expected to be by the Summer 2013.
- 3.2.2 The proposed closure of Grove Park Special School is conditional upon the Council's agreement to expanding Hay Lane Special School from 120 to 210 places from 1 September 2010.
- 3.2.3 Pressure on special school places – both primary and secondary is increasing. In particular the demographic trends suggest that the increase will be most marked among children with Autistic Spectrum Disorder and profound and multiple learning difficulties. Hay Lane Special School would be a suitable placement for such children if its premises were suitable and it had sufficient places. Its expansion would further enable Brent resident children to be educated in Brent and therefore within their community.
- 3.2.4 The numbers of children requiring placement at Grove Park and Hay Lane Special Schools in the future is projected to rise to 235 (an increase of approximately 15% from the baseline figure).
- 3.2.5 Once the rebuild is completed Hay Lane Special School will be able to offer 235 places of which about 50 will be for pupils over 16 years of age. The additional primary and secondary places will allow the Local Authority to meet its statutory obligations to these children and enable them to be placed at this school rather than out of borough. Increasing capacity in this way may lead to savings in out-Borough placement and transport budgets.

- 3.2.6 Increasingly pupils with physical and sensory difficulties but without cognitive difficulties are being provided for in mainstream schools and the future roll of the school is likely to reflect that shift. The Council's School Access Initiative (SAI), Primary Capital Programme (PCP) and Building Schools for the Future (BSF) programme is supporting this process.
- 3.2.7 In addition to the improved and more efficient learning environment there are significant educational benefits associated with the scheme. Rebuilding the schools will provide additional classroom space and an educational environment better suited to the needs of students with multiple learning difficulties and disabilities. There will be much needed improvement to specialist facilities and outside areas. It will address the current inefficiencies in the use of space and greatly improve access arrangements. It will transform the educational opportunities available to some of the most vulnerable children and young people in Brent and drive up standards.
- 3.2.8 The enlarged school will continue to be maintained by the Local Authority and to provide for both boys and girls aged mainly between 3 and 19 years all of whom will have special educational needs.
- 3.2.9 The expanded Hay Lane Special School will be suitable for all pupils who currently attend either Hay Lane or Grove Park Special Schools. Every pupil registered at either school on 31 August 2010 who but for these proposals would have continued their education at either Hay Lane or Grove Park Special School is guaranteed a place at the enlarged Hay Lane Special School. This is expected to be approximately 205 pupils. Consequently no pupils currently on roll at Grove Park will be displaced by the proposed closure of Grove Park Special School or alterations proposed for Hay Lane Special School because a suitable place will be available for all such pupils at Hay Lane Special School from 1 September 2010 if these proposals are agreed.
- 3.2.10 The Local Authority will remain the admitting authority for the school. Admission arrangements for the enlarged school will be the same as for the current two schools namely that the school will admit all pupils whose statement of special educational needs names the school. The number of pupils admitted at any time will, as now, be governed by the pupil's statement of special educational needs and the total numbers for which the school is designed. A fixed number or relevant year group is not proposed. The roll of years 7 upwards will be greater than the earlier years because children aged 11 transfer to Grove Park and Hay Lane Special Schools from Manor Special School which is for primary aged children only. This arrangement will continue.
- 3.2.11 Once expanded, Hay Lane Special School will make provision for the following learning difficulties and disabilities:
Severe Learning Difficulty, Profound and Multiple Learning Difficulty, Autistic Spectrum Disorder and Physical Disability with associated learning difficulties. In addition to their physical and or learning difficulties pupils have any one or more of the following difficulties: speech, language and communication needs, sensory impairments (visual hearing and multi-sensory impairment), challenging behaviours and or significant medical needs.
- 3.2.12 Because Grove Park and Hay Lane Special Schools occupy adjacent sites and because Hay Lane Special School will continue to occupy the same site from September 2010 when these changes are planned to take effect, the distance and journey times for pupils will not change. Consequently travel arrangements to and from home will not be altered by these proposals. During the rebuilding stage there are likely to be minor adjustments to these arrangements for those children attending on a different nearby site which is expected to be at Kingsbury High School.

3.2.13 To ensure these proposals are likely to lead to improvements in the standards, quality and range of educational provision for children with special educational needs the Local Authority has conducted the SEN improvement test that has identified benefits, such as, the expanded Hay Lane Special School's SEN policy will fully meet the requirements of the SEN Code of Practice; the accessibility, suitability and condition problems with the existing school buildings will be overcome by the new buildings which will be fully accessible; there will be improved access to suitable accommodation; improved access to specialist staff and more pupils with substantial needs will be able to attend school within the Borough facilitating support to them and their families.

3.3 Statutory Process

3.3.1 All applicable statutory requirements to consult in relation to these proposals have been complied with.

Consultation

3.3.2 Having undertaken preliminary investigations and informal consultations with stakeholders, the Local Authority organised the first, consultative stage of the statutory process required when changing the organisation of schools. That consultation commenced on 10 July 2009 and closed on 9 October 2009. As a result of representations made by staff and their trade unions during the consultation period further meetings were held on 6 November and it was agreed to take any further representations from those groups up until Friday 13 November 2009.

3.3.3 Questionnaires were used to capture the views and feedback of the stakeholders. The Local Authority completed the consultation with all interested parties on its proposals including parents and staff at the Special Schools, all schools in Brent, neighbouring boroughs, Trade Unions, DCSF, NHS, Ward Councillors and relevant voluntary organisations.

3.3.4 Approximately 500 questionnaires were distributed. At the close of business on 13 November 2009, a total of 44 responses (approx. 8.8%) had been received. However some of these such as that from the trade unions and governors represented the collective view of a substantial number of people. So the response rate is higher than the raw numbers suggest.

3.3.5 There was a majority of respondents in favour of Brent's proposal to merge Grove Park and Hay Lane Schools.

3.3.6 The Governors of the federation expressed support for the Council's proposal.

3.3.7 The response from the Teachers' Panel following the meeting on 6 November 2009 was supportive of the proposal for the two schools becoming one by expanding one school and closing the other. In their view a merged new build will provide a new building fit for purpose and meet health and safety requirements. In particular their support was conditional on the plans to rebuild the schools going ahead.

3.3.8 24 (55%) out of 44 respondents were in favour of the two schools becoming one. Of which, 14 were in favour of expanding one school and closing the other; and 7 respondents had voted for closing both the schools and opening a new school. The advantages and disadvantages of these two routes are set out in Appendix A (Consultation on Proposal to Reorganise as One School).

3.3.9 19 (43%) out of 44 respondents were against the two schools becoming one. 62% of the responding parents selected this option.

3.3.10 In total 10 out of the 44 responses selected a start date of 1 September 2010. An alternative date was not suggested by others; the majority did not respond to this question.

3.3.11 The report on this consultation is attached under Appendix A (Response to the consultation on proposal to Reorganise as One School).

Statutory Proposal

3.3.12 Given the support for the Council's proposals at the Consultation Stage, the Local Authority published simultaneously two related statutory notices on 31 December 2009 to:

a) Discontinue Grove Park Special School on 31 August 2010

b) Alter Hay Lane Special School by

i) increasing the number of places from 120 to 210 places from 1 September 2010;

ii) broadening the type of educational needs for which the school is organised to make it suitable for all pupils currently educated at Grove Park School also from 1 September 2010; and

iii) increasing the number of places to 235 from a date determined by when the building works to rebuild the school are completed which is expected to be by the Summer 2013.

3.3.13 A copy of the statutory proposals is attached in Appendix A, which includes a copy of the statutory notices.

3.3.14 The statutory notices were followed by a 6 week statutory period (Representation stage) up to 12 February 2010, during which representations (i.e. objections or comments) could be made. The representation period is the final opportunity for people and organisations to express their views about the proposals and ensures that they will be taken into account by the Brent Executive when the proposals are determined.

3.3.15 The statutory proposal documents for Grove Park and Hay Lane Special Schools were also sent to the following consultees:

Grove Park Special School (parents, staff and Governors)	Hay Lane Special School (parents, staff and Governors)
Special Schools in Brent	Brent Council
Local Councillors	Brent local MPs
London Borough of Ealing	London Borough of Barnet
London Borough of Camden	London Borough of Harrow
London Borough of Hammersmith and Fulham	London Borough of Westminster
Royal Borough of Kensington and Chelsea	London West Learning and Skills Council
London Borough of Hillingdon	Secretary of State, SOU
NHS Brent	Grove Park student council
Trade Unions	Hay Lane student council
Westminster Diocesan Education Service	Brent Council Officers
London Diocesan Board for Schools	

Response received during the Representation Stage:

3.3.16 Six responses have been received during the representation stage. Copies are available from the Children and Families Service. They are summarised below with the view of the Local Authority beneath each Representation:

- 3.3.17 **London Borough of Barnet** confirmed that it does not have any objections to the proposals; **London Borough of Harrow** has welcomed the proposals and their contribution to the provision in the area.
- 3.3.18 **Gemini Swimming Scheme for Disabled People** have expressed concerns about the availability of the swimming pool to their members during the reorganisation and rebuilding of the two Special schools.
- 3.3.18.1 **Local Authority's view on Gemini Swimming Scheme's response:** There are no plans to reduce community use of the pool facilities at the school. Use of school premises is under the control of the Governors but throughout the discussions over the merger and redevelopment of the school the Governors and LA have expressed the wish to maximise community use of the premises and that has been reflected in the brief to architects.
- 3.3.18.2 The pool is already a facility shared by the two schools and used extensively by community groups. It is likely that during the construction phase between 2011 and 2013 no pool will be available to the school or community. The Council will keep the pool in use for as long as is possible.
- 3.3.19 **A letter from a parent** expressing a preference for the two schools to remain separated.
- 3.3.19.1 **Local Authority's view on a Parent's letter:** It is clear that this parent is receiving a good service from Hay Lane: The parent wrote: "...we found after five years of experience with Hay Lane School managements...that their method was very good for their group of ages 12-18...". The parent is pleased with the outcomes to date. Naturally the parent would rather that the child's education was not affected by the uncertainties generated by organisational change. The LA on the other hand has to take a long term view and the interest of all the children into account. The arguments for and against reorganising the schools are set out in full in Appendix A (Consultation on Proposal to Reorganise as One School).
- 3.3.19.2 The parent also makes suggestions about a suitable organisation for the management structure if the schools do merge. That is a matter for the Governors of the school and those comments will be forwarded to them.
- 3.3.20 **A letter from a resident of Kingsbury** expressing concerns about the insufficient health provision in the area and the plan of the Local Authority to acquire the parcel of undeveloped land adjacent to these two schools could compromise the parking provision for the elderly.
- 3.3.20.1 **Local Authority's view on a Resident's letter:** Dialogue is taking place with NHS Brent. The comments by the residents will be taken into account when redeveloping the schools. However it should be made clear that there are no and never have been any plans to acquire land permanently in such a way that would prevent NHS Brent in partnership with local GPs from developing a health facility on or nearby the parcel of land referred to.
- 3.3.21 **A letter from a former head teacher of Grove Park Special School** expressing concerns that Brent would send all physically disabled pupils that had normal cognitive functioning to a mainstreaming school and that the merged schools with their very broad admission criteria would not meet the needs of the pupils. She also thought that more information should have been given about where the pupils will be educated in the interim period while the school buildings are replaced. She asked to speak to officers about her concerns and this was arranged for and held on 10 February 2010. Whilst she left feeling some reassurance she clearly wished her representations to be known and she has not withdrawn them following that meeting.

- 3.3.21.1 **Local Authority's view on the Letter from Former Head Teacher:** It was explained that Brent has no blanket policy of sending all physically disabled pupils that had normal cognitive functioning to a mainstreaming school. As is always the case each pupil's needs are identified, the provision needed to meet those needs ascertained and then and only then, consideration given to placement. That placement proposal must of course be able to make the provision specified. In some cases that will require a specialist setting and in other cases that provision can be delivered in a mainstream school.
- 3.3.21.2 What is true is that as skill levels and physical adaptations in mainstream schools increases a mainstream placement becomes a real option for a broader group of children and in general that is what parents want and what the Council's duties under the DDA requires it to make available. It is also true that we expect that gradually the numbers of pupils with complex physical and mental impairments will increase so that the balance of the enlarged Hay Lane School's population will shift in that direction.
- 3.3.21.3 All pupils currently at Grove Park are guaranteed a place in the enlarged Hay Lane School so in the short term there will be no change in the school's combined populations and no pupil will be displaced by these proposals.
- 3.3.21.4 This respondent also believes that the single school "will not meet the needs of the pupils". The LA takes a different view. There is no reason why the same staff teaching and caring for the same pupils in the same classrooms (in the short term and in the long term much better ones) will no longer meet the children's needs simply because there is one head teacher rather than two.
- 3.3.21.5 Details about interim arrangements for the pupils, staff and the facilities during the construction period of the replacement buildings have not been fully resolved as yet. It is likely that the interim arrangements will be hosted by Kingsbury High School.
- 3.3.22 The Local Authority has not received any other representations on the statutory proposals by the end of the due date of the representation period i.e. 12 February 2010.

3.4 Next Steps

- 3.4.1 The milestones following a decision to implement these proposals are set out in the timetable:

Milestone	Date
Grove Park Special School Closes	31 August 2010
Hay Lane Special School Expands to 210 places	1 September 2010
Executive Decision on the rebuilding of the resultant expanded Hay Lane School	April 2010
Design completion	Autumn 2010
Construction starts	April 2011
Occupation	Summer 2013
Hay Lane expands to 235 places	September 2013 or earlier if building works allow

3.5 Risk and Risk Management

3.5.1 A risk register is being maintained for this project. This is a means of recording the identified risks, their severity, and the actions steps to be. The top three risks and the management strategy are summarised below:

3.5.1.1 Risk 1 That there is significant opposition to the proposal

Strategy: To discuss and inform stakeholders through documents and meetings of the benefits of the proposals as well as the disadvantages (see Appendix A - Consultation on Proposal to Reorganise as One School), to win support for the proposals from the majority.

3.5.1.2 Risk 2: That the Council delays the decision.

Strategy: Remind Members of the consequences of delaying their decision (such as increased uncertainty for parent and children, delay in reorganising staff, delays to the building programme).

If there is no decision by 12 April, pass the decision to the school's adjudicator as is required by regulations.

Although there are limits to the extent of the co-operation possible in a federation (the two schools would be inspected by Ofsted separately and the governors would have to account for expenditure against two budgets) the federation would continue for as long as the two schools wished that to be the case or until the adjudicator made his or her decision.

3.5.1.3 Risk 3 That with no rebuild the premises become unsafe or unusable

Strategy: To divert capital resources from other programmes to carry out major repairs and replacements to redress that position.

4 Financial Implications

4.1 This reorganisation proposal does not increase financial demands on the Council. There are also long term financial benefits and better value for money from both revenue and capital expenditure

4.2 By closing Grove Park, the deficit in the Hay Lane budget will stay with the Hay lane school and not fall to the Council's resources. It will be for the Governors of that school to institute a recovery plan agreed with the LA.

4.3 The schools' funding formula will produce revenue savings. It may not be possible to secure all of these during the rebuilding period when the school is working on more than one site but will be available in the medium term.

4.4 The increase in places will enable more children with complex needs to be educated in-Borough. This is significantly less expensive than placing such children in specialist (often private) provision where either inter-authority payments or fees become due and substantial transport costs have to be met.

4.5 Other financial issues relate to the rebuilding project which is the subject of a separate report to the next meeting of this Committee which will set out the capital implications of rebuilding the school. That is expected to show that the project can be managed within the resources available as reported to the Executive in May last year.

5 Legal implications

- 5.1 The procedures for the closure of Grove Park Special School and the expansion of Hay Lane Special School are as required by The Education and Inspections Act 2006 and the School Organisation Regulations 2007 as amended. The Local Education Authority is entitled to discontinue Grove Park Special School pursuant to powers granted by section 15 and schedule 2 paragraph 19 of The Education and Inspections Act 2006 and in accordance with The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 as amended. The Local Education Authority is entitled to make prescribed alterations to Hay Lane Special School pursuant to powers granted by section 19 and schedule 2 paragraph 19 of The Education and Inspections Act 2006 and in accordance with schedules 2 and 4 of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 as amended.
- 5.2 The proposals should be decided within 2 months (and if not, the proposals must be referred to the schools adjudicator). The Local Authority must forward the proposals within one week from the end of the 2 month period.
- 5.3 If these proposals are agreed then that federation will come to a natural end on 31 August 2010. A new Governing Body will be established on 1 September 2010 for Hay Lane Special School in its expanded form in accordance with relevant statutory regulations. It is intended that the enlarged school will be renamed at the date these proposals are implemented.
- 5.4 **Decision Making:**
- 5.4.1 It is the view of the Local Authority that both the Grove Park Special School and Hay Lane Special School proposals are related. It considers therefore that the proposals should be determined by the Local Authority at the same time.
- 5.4.2 The Authority has the power to consider and determine proposals made under section 15 of The education and Inspections Act 2006 pursuant to schedule 2 paragraph 8 of the Act.
- 5.4.3 The Authority has the power under section 21 of The Education and Inspections Act 2006 to consider proposals made under section 19 with related proposals published under section 19 or any other enactment. A conditional approval cannot be given where a proposal is decided under paragraph 19 of schedule 2 to the Education and Inspections Act 2006. However, the expansion from 210 to 235 places is subject to the completion of the building works.
- 5.4.4 The proposals should be decided within 2 months of the end of the representation period namely on or before 12 April 2010 in accordance with paragraph 31 of The School Organisation Regulations 2007 as amended otherwise the proposals must be referred to the schools adjudicator for determination.
- 5.4.5 The Brent Executive acting on behalf of the Brent Local Authority is the decision maker.
- 5.4.6 Consideration must be given to the views of those affected by the proposals or who have an interest in them including pupils families of pupils staff other schools and colleges local residents diocesan bodies and other providers local authorities relevant providers where proposals effect 14-19 provision primary care trusts NHS foundation trusts. This includes statutory objections and comments submitted during the representation period. Particular consideration should be given to representations from those stakeholders likely to be most directly affected by the proposals.

- 5.4.7 Any proposals relating to the reorganisation of special needs provision must include details of how the proposed alternative arrangements are likely to lead to improvements in the standard quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans published by the Authority together with all relevant documentation the Authority has submitted should comply with the paragraphs 4.60 to 4.63 of the Guidance Expanding a Mainstream School. (The Special Educational Needs Improvement test).
- 5.4.8 The Authority must have complied with the statutory processes to date with regard to the proposals for discontinuing Grove Park Special School and alterations to Hay Lane Special School.
- 5.4.9 The following bodies may appeal against an LA decision:
- 5.4.9.1 The local Church of England diocese;
- 5.4.9.2 The Bishop of the local Roman Catholic diocese;
- 5.4.9.3 The Learning and Skills Council where the school provides education for pupils aged 14 and over.
- 5.4.9.4 the governing body of the community school that is proposed for expansion.
- 5.4.10 Any appeals must be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA must then send the proposals, and the comments and objections received, to the schools adjudicator within 1 week of the receipt of the appeal. The LA should also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals should be sent to the schools adjudicator.
- 5.4.11 Whilst such appeals are technically possible they are considered highly unlikely given that the proposals do not affect faith schools and neither diocese responded to either stage of the consultation. There is no change to the provision for post 16 youngsters and the governors of Hay Lane School support the proposals
- 5.4.12 The Executive is aware, though it is important to repeat, that in reaching a decision on a statutory proposal the decision maker i.e. the Executive in this case, must have regard to the DCSF guidance. Excerpts from the guidance for a) Closing a Maintained Mainstream School, b) Supplementary Guidance on Closing a Maintained Special School and c) Expanding a Maintained Mainstream School or Adding a Sixth Form are attached (Appendix B) which set the nature of the decision making role that it is undertaking and the factors that it must take into account when determining a statutory proposal of this kind. A full set of guidance forms part of the background papers and is available from the Council's Asset Management Service, Children & Families or at www.dcsf.gov.uk/schoolorg.
- 5.4.13 Before considering the proposals itself the decision maker must consider:
- a) whether any key information is missing.
 - b) whether the published notices comply with the statutory requirements.
 - c) whether the statutory consultations have been carried out prior to the publication of the notices.
 - d) whether the proposals are 'related' to other published proposals and should therefore be considered together.
- 5.4.14 The Council's legal officer advises on a) to d) that:
- a) Executive should decide this.
 - b) the published notices meet the requirements.

- c) the required statutory consultations have been carried out.
- d) Both the Grove Park and Hay Lane proposals are related.

5.4.15 The Executive would need to have regard to guidance issued by the Secretary of State for making a decision on both the proposals. The relevant excerpts from the guidance documents are attached in Appendix B:

- 5.4.15.1 Closing a Maintained Mainstream School (paras 4.16 to 4.62);
- 5.4.15.2 Supplementary Guidance on Closing a Maintained Special School;
- 5.4.15.3 Expanding a Maintained Mainstream School or Adding a Sixth Form (paras 4.16 to 4.72).

5.4.16 The specific factors set out in the DCSF guidance documents that apply to the proposals that the Executive would need to consider in reaching its decision relate to:

5.4.16.1 Closing a Maintained Mainstream School

- a) Related Proposals (paras 4.11 to 4.14)
- b) Standards (paras 4.19 to 4.22)
- c) Need for Places (para 4.33)
- d) Travel and Accessibility for All (para 4.39 to 4.40)
- e) Special Educational Needs (SEN) Provision (paras 4.55 to 4.61)
- f) Views of Interested Parties (para 4.62)

5.4.16.2 Expanding a Maintained Mainstream School or Adding a Sixth Form

- a) Related Proposals (paras 4.11 to 4.14)
- b) Standards (paras 4.19 to 4.21)
- c) Need for Places (para 4.28 to 4.30)
- d) Travel and Accessibility for All (para 4.35 to 4.36)
- e) Special Educational Needs (SEN) Provision (paras 4.65 to 4.71)
- f) Views of Interested Parties (para 4.72)

5.4.16.3 Supplementary Guidance

The Authority when exercising its statutory duty in ensuring there are sufficient school places in its area should also have regard to the need for securing special educational provision. Copies of the published proposals should be sent to the relevant Primary Care Trust NHS Trust or NHS Foundation Trust and any local education authorities which place children at the school the registered parents of every pupil registered at the school and each local education authority who maintain a statement of special educational needs under part 4 of the Education Act 1996 in respect of a registered pupil at the school. A copy of the Authority's decision must be sent to the relevant Primary Care Trust and NHS Foundation Trust responsible for hospital or other provision in the area.

5.4.16.4 A common view from both the guides is represented below. Where the paragraph or factors are different in each of the two guides, this has been indicated.

5.4.16.5 Related Proposals

5.4.16.5.1 Para 4.11 Generally, proposals should be regarded as "related" if they are included on the same notice (unless the notice makes it clear that the proposals are not "related"). Proposals should be regarded as "related" if the notice makes a reference to a link to other proposals. If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals should be regarded as "related". Proposals for a school competition should be considered together with proposals for any school closure where there is a clear link.

- 5.4.16.5.2 Para 4.12 Where proposals are “related”, the decisions should be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both should be approved or rejected.

These proposals are related. If either proposal is not agreed the other must also fall. If Hay Lane is not expanded to at least 210 in September 2010 Grove Park cannot be closed as at 31 August 2010.

The Executive are requested to:

Approve the proposal to discontinue Grove Park Special School with effect from 31 August 2010.

Approve the alterations to Hay Lane Special School so that the Council:

- a) Discontinues Grove Park Special School on 31 August 2010
- b) Alters Hay Lane Special School by
 - i) increasing the number of places from 120 to 210 places from 1 September 2010;
 - ii) broadening the type of educational needs for which the school is organised to make it suitable for all pupils currently educated at Grove Park School also from 1 September 2010; and
 - iii) increasing the number of places to 235 from a date determined by when the building works to rebuild the school are completed which is expected to be by the Summer 2013.

5.4.16.6 Standards

- 5.4.16.6.1 Para 4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, while matching school place supply as closely as possible to pupils’ and parents’ needs and wishes.

The distinction between the two schools is blurring as the degree of collaboration between them and the overlap in the needs of their pupils grows. Similarly the skills among staff are increasingly relevant to both school communities. Those skills and teaching facilities could be deployed to the greater benefit of all pupils if the organisation as two schools were changed. Staff organised under one leadership team and one governing body promotes joint planning and joint working. Therefore the LA believes that forming one school is the right way forward in its drive to raise standards.

- 5.4.16.6.2 Para 4.20 Decision Makers should be satisfied that proposals for a school closure will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They should pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

Closing Grove Park is necessary to form one school. How that will raise standards are detailed in the paragraph above.

The forming of one school also makes possible the proposal to rebuild the resultant school so that it meets current educational standards for special needs children and other environmental standards. There are significant educational benefits associated with the scheme. Rebuilding the schools will provide additional classroom space and an educational environment better suited to the needs of students with multiple learning difficulties and disabilities. There will be much needed improvement to specialist facilities and outside areas. It will address the current inefficiencies in the use of space and greatly improve access arrangements. It will transform the educational opportunities available to some of the most vulnerable children and young people in Brent and thus drive up standards.

- 5.4.16.6.3 Para 4.21 Decision Makers should be satisfied that when proposals lead to children being displaced, any alternative provision will meet the statutory SEN improvement test.

Every pupil registered at either school on 31 August 2010 who but for these proposals would have continued their education at either Hay Lane or Grove Park Special School is

guaranteed a place at the enlarged Hay Lane Special School, Grove Park, London, NW9 0JY. Consequently no pupils will be displaced by the proposed closure of Grove Park Special School or alterations proposed for Hay Lane Special School because a suitable place will be available for all such pupils at Hay Lane Special School from September 2010 if these proposals are agreed.

To ensure these proposals are likely to lead to improvements in the standards, quality and range of educational provision for children with special educational needs the Local Authority has also conducted the SEN improvement test that has identified benefits, such as, the expanded Hay Lane Special School's SEN policy will fully meet the requirements of the SEN Code of Practice; the accessibility, suitability and condition problems with the existing school buildings will be overcome by the new buildings which will be fully accessible; there will be improved access to suitable accommodation; and improved access to specialist staff.

- 5.4.16.6.4 Para 4.22 Where a school is to be closed so that it may be amalgamated with a more successful and/or popular school, the Decision Maker should again normally approve these proposals, subject to evidence being provided by the LA and other interests that the development will have a positive impact on standards. (Closing a Maintained Mainstream School only)

The above Para does not apply to these proposals. Which of the two schools was nominated for closure is largely technical and relates to the deficit at Hay Lane. In practice the same children will continue to travel to the current site and buildings and be taught by largely the same staff in September as they are now. The difference is only that the site and premises and staff will all be under one banner: Hay Lane rather than two.

5.4.16.7 Need for Places

- 5.4.16.7.1 Para 4.33 The Decision Maker should be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall supply and likely future demand for places. The Decision Maker should consider the quality and popularity with parents of the schools in which spare capacity exists and any evidence of parents' aspirations for those schools. (Closing a Maintained Mainstream School only)
- 5.4.16.7.2 Para 4.28 In considering proposals, the Decision Maker should consider the supporting evidence presented for the increase, and take into account the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus capacity in neighbouring less popular or successful schools should not in itself prevent the addition of new places. (Expanding a Maintained Mainstream School)
- 5.4.16.7.3 Para 4.29 Where the school has a religious character, or follows a particular philosophy, the Decision Maker should be satisfied that there is satisfactory evidence of sufficient demand for places for the school to be sustainable. (Expanding a Maintained Mainstream School)
- 5.4.16.7.4 Para 4.30 Where proposals will add to surplus capacity but there is a strong case for approval on parental preference and standards grounds, the presumption should be for approval. The LA in these cases will need to consider parallel action to remove the surplus capacity thereby created. (Expanding a Maintained Mainstream School)

A total of 203 (108 boys and 95 girls) pupils are currently on roll at the two schools. All the pupils have special educational needs (SEN). 86 of the 203 pupils have very complex needs.

The numbers of children requiring placement at Grove Park & Hay Lane Special Schools in the future is projected to rise to 235 (an increase of approximately 15% from the baseline figure). The local authority has a statutory obligation to provide school places for any pupil resident in the borough if they request one.

Under the proposals, the expansion of Hay Lane Special School will take place in two stages. The first stage will be from 1 September 2010 when the school will be enlarged to 210 places. Brent Council further plans to rebuild the Hay Lane Special School on the current sites of Hay Lane and Grove Park Special Schools. Once the new buildings are available (projected to be summer 2013) the second stage of the expansion can be implemented and Hay Lane Special School will offer 235 places of which about 50 will be for pupils over 16 years of age. The additional places will allow the Local Authority to place children at the school that might otherwise have been placed out of borough.

5.4.16.8 Travel and Accessibility for All

- 5.4.16.8.1 Para 4.39 In considering proposals for the reorganisation of schools, Decision Makers should satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes should not adversely impact on disadvantaged groups. (para 4.35 - Expanding a Maintained Mainstream School).

The travel arrangements for pupils are not changed significantly for pupils at either Hay Lane or Grove Park. They are also just as likely to have the school named in their statement as before these proposals were made. However the eventual expansion of provision will enable more Brent pupils to be educated in borough in general nearer to where they live.

- 5.4.16.8.2 Para 4.40 In deciding statutory proposals, the Decision Maker should bear in mind that proposals should not have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance ref 00373 – 2007BKT-EN at www.teachernet.gov.uk/publications. Proposals should also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school. (para 4.36 - Expanding a Maintained Mainstream School).

Because Grove Park and Hay Lane Special Schools occupy adjacent sites and because Hay Lane Special School will continue to occupy the same site from September 2010 when these changes are planned to take effect, the distance and journey times for pupils will not change. Consequently travel arrangements to and from home will not be altered by these proposals. During the rebuilding stage there are likely to be minor adjustments to these arrangements for those children attending on a different nearby site which is expected to be at Kingsbury High School.

5.4.16.9 Special Educational Needs (SEN) Provision

- 5.4.16.9.1 Para 4.55 (para 4.65 - Expanding a Maintained Mainstream School) When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change, LAs should aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They should ensure that local proposals:

- take account of parental preferences for particular styles of provision or education settings;
- offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise) and regional and sub-regional provision; out of local authority day and residential special provision;

- are consistent with the LA's Children and Young People's Plan;
- take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights must be ensured. Other interested partners, such as the Health Authority should be involved.

Admission arrangements for the enlarged school will be the same as for the current two schools namely that the school will admit all pupils whose statement of special educational needs names the school. Each pupil's needs will be identified, the provision needed to meet those needs ascertained and then and only then, consideration given to placement. That placement proposal must of course be able to make the provision specified. In some cases that will require a specialist setting and in other cases that provision can be delivered in a mainstream school.

- 5.4.16.9.2 Para 4.56 (para 4.66 - Expanding a Maintained Mainstream School) Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

Having undertaken these preliminary investigations and informal consultations with stakeholders, the Local Authority organised the first, consultative stage of the statutory process required when changing the organisation of schools. Given the support for the Council's proposals at the Consultation Stage, the Local Authority published two related statutory notices simultaneously on 31 December 2009.

The expanded Hay Lane Special School will be suitable for all pupils who currently attend either Hay Lane or Grove Park Special Schools. Rebuilding the schools will provide additional classroom space and an educational environment better suited to the needs of students with multiple learning difficulties and disabilities. There will be much needed improvement to specialist facilities and outside areas.

5.4.16.10 The Special Educational Needs Improvement Test

- 5.4.16.10.1 Para 4.57 (para 4.67 - Expanding a Maintained Mainstream School) When considering any reorganisation of SEN provision, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers should show how the key factors set out in the paragraphs below (4.58 to 4.61) have been taken into account. Proposals which do not credibly meet these requirements should not be approved and Decision Makers should take proper account of parental or independent representations which question the LA's own assessment in this regard.

To ensure these proposals are likely to lead to improvements in the standards, quality and range of educational provision for children with special educational needs the Local Authority has conducted the SEN improvement test that has identified benefits, such as, the expanded Hay Lane Special School's SEN policy will fully meet the requirements of the SEN Code of Practice; the accessibility, suitability and condition problems with the existing school buildings will be overcome by the new buildings which will be fully accessible; there will be improved access to suitable accommodation; and improved access to specialist staff.

5.4.16.11 Key Factors

5.4.16.11.1 Para 4.58 (para 4.68 - Expanding a Maintained Mainstream School) When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they should:

- identify the details of the specific educational benefits that will flow from the proposals in terms of:
- improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
- improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
- improved access to suitable accommodation; and
- improved supply of suitable places.

LAs should also:

- obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
- clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools should confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
- specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
- specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

5.4.16.11.2 Para 4.59 (para 4.69 - Expanding a Maintained Mainstream School) There is no BESD school closure here It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) should not be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been excluded; in such cases the statement must be amended to name the PRU, but PRUs should not be seen as an alternative long-term provision to special schools.

Every pupil registered at either school on 31 August 2010 who but for these proposals would have continued their education at either Hay Lane or Grove Park Special School is

guaranteed a place at the enlarged Hay Lane Special School, Grove Park, London, NW9 0JY.

- 5.4.16.11.3 Para 4.60 (para – 4.70 Expanding a Maintained Mainstream School) The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

The above Para does not apply to the proposals.

- 5.4.16.11.4 Para 4.61 (para 4.71 - Expanding a Maintained Mainstream School) Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

All applicable statutory requirements to consult in relation to these proposals have been complied with. Having undertaken these preliminary investigations and informal consultations with stakeholders, the Local Authority organised the first, consultative stage of the statutory process required when changing the organisation of schools. Given the support for the Council's proposals at the Consultation Stage, the Local Authority published two related statutory notices simultaneously on 31 December 2009. This was followed by a six week Representation period which ended on 12 February 2009.

The enlarged school will continue to provide for both boys and girls aged mainly between 3 and 19 years all of whom will have special educational needs. The proposed increase in places will enable the Local Authority to meet the predicted increase in the number of children requiring this type of special educational provision over the medium term. Increasing capacity will lead to significant savings in out-Borough placement and transport budgets.

5.4.16.12 Views of Interested Parties

- 5.4.16.12.1 Para 4.62 (para 4.72 - Expanding a Maintained Mainstream School) The Decision Maker should consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker should not simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker should give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

All applicable statutory requirements to consult in relation to these proposals have been complied with. The Local Authority has considered all the concerns expressed by the interested parties summarised in the above sections. Brent Council also has to consider the long term needs and balance any short term pain for those directly affected by the transition against the long term advantage to all. Overall, the reorganisation of the two schools and subsequent rebuilding will lead to significant benefits for the pupils, staff and the community.

5.5 Executive, as decision maker, can:

- Reject the proposal
- Approve the proposal
- Approve the proposal with modifications (e.g. change the implementation date)

- Approve the proposals subject to them meeting a specific condition.

5.5.1 For school closures the following conditions can be set:

5.5.1.1 the making of any agreement under section 482(1) of the 1996 Act for the establishment of an Academy, where the proposals in question provide for some or all of the pupils currently at the school which is the subject of the proposals to transfer to the Academy;

5.5.1.2 the agreement to any change to admission arrangements specified in the approval, relating to another school;

5.5.1.3 where the proposals depend upon conditions being met, by a specified date, for any other school or proposed school, the occurrence of such an event.

5.5.2 None of these conditions are relevant to these proposals and no conditional decision is requested

5.5.3 For school alteration the following conditions can be set:

5.5.3.1 the grant of planning permission under Part 3 of the Town and Country Planning Act 1990;

5.5.3.2 the acquisition of the site required for the implementation of the proposals;

5.5.3.3 the acquisition of playing fields required for the implementation of the proposals;

5.5.3.4 the securing of any necessary access to a site referred to in sub-paragraph (b) or playing fields referred to in sub-paragraph (c);

5.5.3.5 the private finance credit approval given by the DCSF following the entering into a private finance contract by an LA;

5.5.3.6 the entering into an agreement for any necessary building project supported by the DCSF in connection with BSF programme;

5.5.3.7 the agreement to any change to admission arrangements specified in the approval, relating to another school;

5.5.3.8 the making of any scheme relating to any charity connected with the school;

5.5.3.9 the formation of any federation (within the meaning of section 24(2) of the 2002 Act) of which it is intended that the proposed school should form part, or the fulfilling of any other condition relating to the proposed school forming part of a federation; the Secretary of State giving approval under regulation 5(4) of the Education (Foundation Body) (England) Regulations 2000 that the school should form part of a group for which a foundation body act;

5.5.3.10 the Secretary of State making a declaration under regulation 22(3) of the Education (Foundation Body) (England) Regulations 2000 that the school should form part of a group for which a foundation body acts;

5.5.3.11 where the proposals depend upon any of the events specified in paragraphs (a) to (k) occurring by a specified date for any other school or proposed school, the occurrence of such an event; and

5.5.3.12 where proposals are related to proposals for the establishment of new schools or discontinuance of schools, and those proposals depend on the occurrence of events specified in regulation 20 of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007(1) the occurrence of such an event.

5.6 The Executive must set a date by which the condition should be met but will be able to modify the date if the Local Authority confirms, before the date expires, that the condition will be met later than originally thought.

5.7 Executive must give its reasons for the decision indicating the main factors/criteria for the decision.

- 5.8 In general, the above conditions are not relevant to these proposals. However expanding the school to 235 places from the 210 established in September 2010 is conditional upon the completion of building works. A prerequisite for that will be planning permission and the availability of funding. As such it may be prudent to make the approval of the expansion to 235 from 210 conditional on the completion of the rebuilding of the school, which is expected to be completed by the Summer of 2013.

6 Diversity Implications

- 6.1 An equality impact assessment was carried in May 2009 which showed that there are no adverse diversity implications. There are no other implications for the immediate purpose of this report.

- 6.2 However, from 1 September 2010 the two schools will become one providing excellence in education for all. That means raising standards through innovation and investment in new facilities. It will act as a learning and development hub for the entire community. Once the rebuilding works have been completed this group of vulnerable young people will be able to enjoy equivalent benefits to those being enjoyed by their able bodied peers in mainstream schools as the Building Schools for the Future programme is rolled out.

- 6.3 The new buildings will reflect current thinking on the best way to educate children with severe and profound learning difficulties, autistic spectrum disorders physical, sensory and medical conditions.

7 Staffing Issues

- 7.1 As a Federation it is for the Governors to decide whether to organise the staff as a single staff or continue with separate staff groups in each of the two schools. If these proposals are determined as recommended, that choice will disappear with effect from 1 September 2010. From that date there would be one head teacher, one senior leadership team and one governing body.

- 7.2 The Governors of the Federation have determined that from September 2010 there will be only one head teacher and are working on a shadow structure to organise the staff into one team. The intention is that this staffing structure is also appropriate for the reorganised school.

- 7.3 As is required by the agreements regarding organisational change in schools that the LA has with the teaching and support staff trade unions, a consultative advisory group has been convened. This provides the necessary consultative framework for discussing with the staff representatives the arrangements for managing organisational change among support staff and teachers. It will also provide the forum for consultation on the shadow structure once that is drafted.

8 Appendix & Attachments

- 8.1 The following documents have been under Appendix A & B:

8.2 Appendix A:

- 8.2.1 Statutory Proposal Grove Park Special School
- 8.2.2 Statutory Proposal Hay Lane Special School
- 8.2.3 Appendices to the above statutory proposals
- 8.2.4 Appendix 1 - One School Consultation Final Report
- 8.2.5 Appendix 2 - One School Consultation Document
- 8.2.6 Appendix 3 - Supporting evidence of the need for additional places
- 8.2.7 Appendix 4 - Vision
- 8.2.8 Statutory Notice Grove Park Special School
- 8.2.9 Statutory Notice Hay Lane Special School

- 8.3 **Appendix B:** Excerpts from the guidance for a) Closing a Maintained Mainstream School, b) Supplementary Guidance on Closing a Maintained Special School and c) Expanding a Maintained Mainstream School or Adding a Sixth Form.

9 Background Papers

Statutory Proposal Files

DCSF guidance on reorganisation of schools Closing a Maintained Mainstream School – Factor to be considered by Decision Makers, Expanding a Maintained Mainstream School or Adding a Sixth Form and Supplementary Guidance on Closing a Maintained Special School (complete guidance document available from Asset Management Service or at www.dcsf.gov.uk/schoolorg).

Executive report of May 2009 Redevelopment of SEN Provision at the Hay Lane and Grove Park School Sites

Any person wishing to inspect the papers in connection with the above proposals should contact the originating officer at:

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