



Cabinet
15 December 2014

**Report from the Strategic
Director of Children and Young People**

Wards Affected:
ALL/

Permanent expansion of Manor Special School

1.0 Summary

- 1.1. This report informs the Cabinet of the outcome of the statutory proposals to increase the number of places at Manor Special School from September 2015 and recommends that the expansion be approved.

2.0 Recommendations

The Cabinet is recommended to:

- 2.1. Approve the expansion of Manor Special School by adding 44 new places for students aged 4 to 11 from September 2015.

3.0 Detail

3.1 Background

- 3.1.1 Brent Council has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. This extends to pupils with SEN who need special school places and access to special units in mainstream schools (Additionally Resourced Provision).
- 3.1.2 These proposals are part of a review of the range of existing provision for meeting pupils' SEN across Brent schools in line with current and projected demand. The aim

of this review is to ensure that children achieve the best outcomes possible in high quality good value, cost effective school provision into the future.

Manor School

- 3.1.3 Manor School, Chamberlayne Road, London, NW10 3NT, is a maintained community special school located in south east of the London Borough of Brent. It is designated to provide school places for primary aged pupils between the ages of four to 11 years old with Moderate Learning Difficulties (MLD) / Autism Spectrum Disorder (ASD).
- 3.1.4 The school currently has provision for 132 permanent places and the proposal is to increase the school to 176 permanent places by September 2015. In April 2014 a temporary/bulge class of eight places was created. These eight places will become part of the 44 permanent places for September 2015.
- 3.1.5 The council's Special Educational Needs (SEN) and Disability services have been facing pressures arising from increased demand for special education placements for a number of years. This increase in demand is in line with a national trend due to advances in medical technology and higher survival rates of children with complex needs and increases in medical diagnoses for conditions, particularly autism. It has also been exacerbated in Brent by increased inward migration. The council has a statutory duty to provide sufficient school places for children within its area. This increase is set to continue at least in line with the overall growth in the pupil population which will continue to grow rapidly until at least 2020. The school population in Brent has increased by 3,151 in less than four years, and correspondingly there is also an increase in demand for special school places. The alternative to in-borough special school places are generally expensive out-borough independent placements. At the same time as the number of special school places has increased, so has the proportion of children with special educational needs in mainstream schools which is now around the London average.
- 3.1.6 Manor is a special school with a Good Ofsted rating. The school offers places to pupils aged from four to 11 with a wide range of learning difficulties, and has considerable expertise in a range of teaching methods to meet the needs of pupils with autism and moderate learning difficulties. The proposal to provide an additional 44 places will help meet growing demand and achieve considerable educational and financial benefits. It will enable 44 children with significant special educational needs to access a local special school who would otherwise have to be placed in independent special schools at some distance from their home addresses. This will reduce the amount of time they have to spend on daily transport and will enable them to mix with other children closer to their home addresses, maximising the chances of developing local friendships. Manor School is popular with parents and pupils, and its expansion would also help meet parental demand.
- 3.1.7 A recent feasibility study shows Manor School has the capacity to provide much needed additional school places at the current school site. This can be achieved by adapting the existing accommodation through internal remodelling and the building of a part single/part two storey extension. There are also plans for external works to form better all weather play surfaces. Details of the proposed construction works are addressed in a separate report to Cabinet from Regeneration and Growth, 15 December 2014.

- 3.1.8 The proposed expansion will represent a significant investment in the school to ensure that the premises are adapted according to the feasibility to fully meet the needs of the new intake of pupils. This project will be part funded by targeted basic need funding from the Department for Education.
- 3.1.9 Brent Council has been consulting with staff, parents and the community on the proposal to increase the pupil numbers.

3.2 Statutory Process

Stage One Consultation

3.2.1 Manor School

The Local Authority, with the support of the Governing Body of Manor School consulted with key interested parties on the expansion proposals. The consultation document is attached as Appendix 1. Over 300 copies of the consultation document were distributed via email and/or internal/external post. The school distributed the consultation documents by hand to parents, pupils, staff and other interested parties.

- 3.2.2 Consultation meetings with staff, parents and the community were held at the school on Tuesday 8 July 2014.

- 3.2.3 The informal consultative stage of the proposal to expand was completed on Friday 25 July 2014.

- 3.2.4 The Manor School proposal received ten responses to the consultation (nine completed the grid below whilst one gave a written comment only – see paragraph 3.4.6). All ten either strongly agreed or agreed with the proposal – one with a proviso as outlined in paragraph 3.4.6.

Expansion would mean we could:	Strongly agree	Agree	Don't know	Disagree	Strongly disagree
Improve educational facilities for SEN pupils:	8	1			
Help meet the growing demand for school places:	7	2			
Offer more places to children within the area	8	1			
I support the proposal:	8	1			

3.2.5 A breakdown of who responded is in the table below:

Parent / Carer	7
Members of Staff	0
Local Resident	1
Governor at the School	0
Prospective Parent	0
Other – Brent NUT Secretary + unspecified	2
Total	10

3.2.6 All written comments received are listed below:

- “I have no doubt the existence of parents who have pupils of educational needs desperately need an offer of a school for their son/daughter. Maybe this expansion will help families in the near future. I strongly agree [with the] expansion” - Parent / Carer
- “Manor School is a very good school. My child has been very happy there. She has made loads of friends and got on with all the teachers, so I hope more parents send their children to Manor School. I think they should help the children with more writing and spelling words” - Parent / Carer
- “I have consulted the Teachers Panel and the Manor School Rep about this expansion and we are in favour of it, with the following proviso; That existing members of staff do not have any increase in workload as a result of this expansion. I look forward to receiving the statutory consultation papers in due time” - Brent NUT Secretary

3.2.7 Following the end of consultation, the council therefore agreed to publish the statutory notice and full proposal.

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

Publication of Statutory Notice

3.2.9 Following the informal consultation stages outlined above, the Local Authority with the support of the governing body of Manor School, published the Statutory Notices detailing the proposals, in two local newspapers.

3.2.10 A copy of the full statutory proposal is attached as Appendix 1 and the statutory notice as Appendix 2.

Representation

- 3.2.11 The statutory notices were followed by a six week statutory period (Representation stage), during which representations (i.e. objections or comments) could be made. The representation period is the final opportunity for residents and organisations to express their views about the proposal and ensures that they will be taken into account by the Cabinet when the proposal is determined.

Responses received during the Representation Stage:

- 3.2.12 No representations were received during the six week statutory period.

3.3 Next Steps

- 3.3.1 The anticipated dates for the key project milestones following a decision by the Cabinet to determine this proposal to alter Manor School are set out in the timetable below:

Milestone	Date
Cabinet Decision to expand the schools	15 December 2014
Award of contract for building works (subject to December Cabinet approval)	31 December 2014
Building work completes	31 August 2015
44 new places available on	1 September 2015

4.0 Financial Implications

- 4.1 The Education Funding Agency, upon receiving an application from Brent Council, awarded the Council £1.541m of Targeted Basic Need (TBN) grant funding in October 2013 to support capital works required to accommodate an additional 44 pupils at Manor School. The EFA states that the whole of the TBN grant is to be spent by end of August 2015, of which £357k was to be spent by end of August 2014. These targets have or will be met, by means of enabling works, associated fees and development costs and all 44 additional pupils will be accommodated at Manor School, thereby it is anticipated that the scheme will deliver on TBN compliancy requirements. The capital grant agreement requires that any underspend or surplus funds after the completion of the projects should be notified to and will be subject to reclaim by EFA. It is not intended to allow surplus funding to be used to extend the scope of projects or to deliver other projects. If the Cabinet were to decide not to proceed with the expansion at Manor School, all of the TBN funding (£1.54m) would be subject to reclaim by the EFA.
- 4.2 In August 2014 the Cabinet approved the allocation of £641k from Basic Need Capital grant allocated to the council for the provision of school places in order to address a funding gap between the allocated TBN grant and the total forecast project cost of £2.182m.

- 4.3 Members should note that if Manor Special School is not expanded, the pupils will have to be placed in out borough provision or Independent provision. As such, there are further financial benefits to be gained by progressing the expansion of Manor School through the cost avoidance associated with not placing pupils in such alternative provision. The average annual cost for a place at Manor School is £24k, whereas the average annual cost of an out borough independent school is £40k, a difference of £16k per annum per place. On this basis, the provision of 44 additional pupil places at Manor would, in a full year, deliver cost avoidance of £704k. In addition, the average annual cost of transporting an SEN pupil to an in borough school is £3k; the average cost of transporting an SEN pupil out borough is £9k, a difference of £6k. In a full financial year this would equate to avoided costs of £264k on transport. These figures relate to the avoidance of additional costs rather than savings to existing revenue budgets.
- 4.4 The expansion of pupil numbers at the school will result in increased revenue costs associated with the increased provision. From April 2013 changes to schools funding from the Department for Education means SEN places are funded from the High Needs Block of the Dedicated Schools Grant. The Council will commission places and provide top up funding based on the number of pupils on roll. This is to eliminate funding empty places. The increase in places at Manor will be funded from the Dedicated Schools Grant based on the formulaic calculation of £10k per pupil plus a "Top Up" amount per pupil on a varying scale according to the individual pupil needs.

5.0 Legal implications

- 5.1 The procedure for the change of character, alteration and enlargement of Manor Special School is as required by The Education and Inspections Act 2006 (as amended by the Education Act 2011) and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 as amended. The Local Authority is entitled to make prescribed alterations to Manor Special School pursuant to powers granted by The Education and Inspections Act 2006, Sections 18 and 19 and in accordance with Schedule 4 Part 1 and Schedule 5 of the Regulations.
- 5.2 The Authority has the power to consider and determine proposals published under Section 19 of The Education and Inspections Act 2006, pursuant to Section 21 (2) (f) of the Act and in accordance with Regulation 30 of The School Organisation Regulations 2007 as amended.
- 5.3 Under sections 13 and 14 of The Education Act 1996, as amended by The Education and Inspections Act 2006, a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. The local authority must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area and promote diversity and increase parental choice. To discharge this duty the LA has to undertake a planning function to ensure that the supply of school places balances the demand for them. The local authority has a statutory duty to make suitable and appropriate educational provision for children and young people who have special educational needs in its area in accordance with the relevant provisions of the Education Act 1996 (as amended by the Education Act 2011), The Special Educational Needs and Disability Act 2001, the Apprenticeship Skills

Children and Learning Act 2009 and the Special Educational Needs Code of Practice.

5.4 The Brent Cabinet acting on behalf of the Brent Local Authority is the Decision Maker pursuant to The Education and Inspection Act 2006 Section 21 (2) (f) and schedule 3 paragraph 30 of the School Organisation Regulations.

5.5 The Cabinet would need to have regard to Guidance issued by the Secretary of State before making a decision upon this proposal. Paragraphs 4.1 to 4.80 of the Guidance Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form is applicable.

5.6 If the local authority fail to decide proposals within two months of the end of the representation period the local authority must forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They must forward the proposals within one week from the end of the two month period.

5.7 Decision Making:

5.8 There are four key issues which the Decision Maker should consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker should write immediately to the proposer specifying a date by which the information should be provided.

All necessary information has been provided.

- Does the published notice comply with statutory requirements?

The statutory notice is complete and in line with the statutory requirements. The six week statutory representation period closed on 30 October 2014.

- Has the statutory consultation been carried out prior to the publication of the notice?

All applicable statutory requirements to consult in relation to the proposal have been complied with.

- Are the proposals "related" to other published proposals?
- **No, the proposals are not related to other proposals.**

5.9 Types of Decision

5.10 All decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

5.11 In considering prescribed alteration proposals, the Decision Maker can decide to:

- reject the proposals;
- approve the proposals;
- approve the proposals with a modification (e.g. the implementation date);
or
- approve the proposals subject to them meeting a specific condition.

5.12 The following bodies may appeal against an LA decision:

- The local Church of England diocese;
- The Bishop of the local Roman Catholic diocese;
- The governing body of the Community School that is proposed for expansion.

5.13 Any appeals must be submitted to the LA within four weeks of the notification of the LA decision. On receipt of an appeal the LA must then send the proposals and the comments and objections received, to the schools adjudicator within one week of 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 must also be sent to the schools adjudicator.

5.14 Procurement: The construction contract/s associated with these expansions will be addressed as part of the wider primary school expansion, with preference to undertake one procurement exercise for a construction contract covering all schemes within the same phase of the programme. Appropriate procurement routes are currently being reviewed with LBB Procurement and Legal Services and a further report will be brought to the Cabinet in accordance with Council Standing Orders for approval to procure and approval to award any contract.

6.0 Diversity Implications

6.1 The school proposed for expansion has an ethnically diverse pupil population and works to improve the life chances of pupils with disabilities. Manor School would enable the Council to provide additional new places required for Brent's growing pupil population.

6.2 The expansion will improve choice and diversity of provision. The impact on equalities will be kept under review and reported as the school expansion programme is reviewed.

6.3 The Equality Impact Assessment for the school has been completed.

7.0 Staffing Issues

7.1 With the expansion of pupil numbers there is likely to be an expansion of posts rather than a reduction. The costs relating to the need to provide for additional pupils will be covered by the school's budget.

Background Papers

- i) Equality Impact Assessment for Manor School
- ii) Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form

Appendix 1 Manor Special School – consultation document

Appendix 2 Manor Special School – statutory notice

Contact Officer(s)

Judith Joseph, School Place Planning Officer
Early Help and Education
Tel: 020 8 937 1061. Fax: 020 8 937 3222
Email: Judith.Joseph@brent.gov.uk

Sara Williams
Operational Director Early Help and Education
Tel: 020 8937 3510
Email: Sara.Williams@brent.gov.uk

GAIL TOLLEY
Strategic Director, Children and Young People

Proposal to Expand Manor School by 44 Places by September 2015

Why are we consulting you?

This consultation document is to inform you of the possible expansion of Manor School, Chamberlayne Road, London, NW10 3NT. Manor School is a maintained community special school located in south eastern region of the London Borough of Brent. It is designated to provide school places for primary aged pupils between the ages of 4 to 11 years old with Moderate Learning Difficulties (MLD) / Autism Spectrum Disorder (ASD).

The school currently has provision for 132 permanent places and the proposal is to increase the school to 176 permanent places by September 2015. In April 2014 a temporary/bulge class of 8 places was created. These 8 places will become part of the 44 permanent places for September 2015.

We would like to hear your views on the proposal to expand. You can either respond by:

- Completing the form at the back of this document and return it by **Friday 25 July 2014**
- sending an email to judith.joseph@brent.gov.uk or
- attending a consultation meeting on **Tuesday 8 July 2014**

What is the proposal?

The Local Authority, Brent Council is proposing to expand Manor School by 44 places (from 132 to 176) by September 2015 for students aged 4 to 11.

A recent feasibility study shows Manor School has the capacity to provide much needed additional school places at the current school site. This can be achieved by adapting the existing accommodation through internal remodelling and the building of a part single/part two storey extension. There are also plans for external works to form better all weather play surfaces.

The proposed expansion will represent a significant investment in the school to ensure that the premises are adapted according to the feasibility to fully meet the needs of the new intake of pupils. This project will be part funded by target basic needs funding from the Department for Education.

This proposal supports the aims of Brent's overarching plan for Children and Families (Children and Young People's Plan). It is aimed at priority 1, ensuring that children and young people are healthy and safe and priority 2, ensuring sufficient local school places to meet continuing increasing demand from local children. The proposal also supports the LA's strategy for increasing the provision for students with disabilities and SEN and the proportion of school buildings accessible to students with disabilities.

Brent Council is therefore consulting with staff, parents and the community on the proposal to increase the pupil numbers.

Who is this consultation for?

This consultation is for anybody who feels they may be affected by the proposal. We would like to hear your views whether they be in support, objections or comments. This document has been sent to the following:

Manor School: parents, staff and student council if applicable
All maintained schools and Academies in Brent
Governing Body of Manor School
Brent Council
Westminster Diocesan Education Service
London Diocesan Board for Schools
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
Kensal Rise Resident Association, 94 Chamberlayne Road, NW10
All Councillors
Local Member of Parliament
All Brent Customer Service Shops
All Brent Libraries
Brent Children Centres
Any trade unions who represent staff of Manor School
Representatives of main trade unions in Brent

Meeting
Date 15 December 2014

Version no.
Date

Brent PCT – Maternity and Child Health Steering Group members
Any local partnerships, including the main voluntary agencies for SEN and Disabilities that Brent has relations with *e.g.*
Partnership / groups who use the school premises on a contractual basis
Partnerships / groups who use the school under extended services arrangements

Why are we proposing to expand Manor School?

The Council's Special Educational Needs (SEN) and Disability services have been facing pressures arising from increased demand for specialist education placements for a number of years. This increase in demand is in line with a national trend due to advances in medical technology and higher survival rates of children with complex needs and increases in medical diagnoses for conditions such as autism. It has also been exacerbated in Brent by increased inward migration. The council has a statutory duty to provide sufficient school places for children within its area. There will be increasing demand for school places as a result of the growing pupil population which will continue to grow rapidly until at least 2020. The school population in Brent has increased by 3151 in less than four years, and correspondingly there is also an increase in demand for special school places. In recent years the council has had to place pupils in expensive out borough independent provision as special schools within Brent are full.

Manor is special school with a Good Ofsted rating. The school offers places to pupils aged from 4 -11 with a wide range of learning difficulties, and has considerable expertise in a range of teaching methods to meet the needs of pupils with autism and moderate learning difficulties. The proposal to provide an additional 44 places will help meet growing demand and achieve considerable educational and financial benefits. It will enable 44 children with significant special educational needs to access a local special school who would otherwise have to be placed in independent special schools at some distance from their home addresses. This will reduce the amount of time they have to spend on daily transport and will enable them to mix with other children closer to their home addresses maximising the chances of developing local friendships. Manor School is popular with parents and pupils, and its expansion would also help meet parental demand.

What is the process to be followed?

Brent Council in partnership with Manor School intends to meet with staff, parents and the local community, to receive their views.

If, after this consultation, the Council decides to proceed with the changes then the statutory consultation will begin with the publication of a statutory notice in the local papers. The notice will also be placed on Brent website, on Manor School website and in public places such as at the main entrances to Manor School. Thereafter, a 6 week representation period will commence during which anybody can write to make formal representations on the proposal.

Representations can be in the form of support, suggestions or objections to the proposal. All representations will be presented to Brent Council's Executive Committee which will make a decision on the proposal.

Stages	Procedure	Approximate timelines
This consultation	The issue of this document marks the beginning of the informal consultation during which the views of any interested parties are sought. These views will be considered before the formal statutory consultation begins.	25 June 2014 – 25 July 2014
Stage 1 - Publication	Dependent upon the outcome of the informal consultation (outlined above), a decision on whether to publish a statutory notice must be made by the LA (Brent Council) in partnership with the Governing Body of the school. This publication marks the start of the statutory consultation.	September 2014
Stage 2 – Representation	Following the publication of the statutory notice 'representations' can be made on the proposals – this is another opportunity to submit views (support, objections or comments) before the final decision is made. The representation period will last for 6 weeks.	September 2014 – October 2014
Stage 3 – Decision	Within two months after the representation period ends the Brent Executive will make the final decision on the proposal.	October 2014 - December 2014
Stage 4 - Implementation	If the proposal is approved, the changes would then be implemented. The aim is to provide the additional places from 1 September 2015 .	December 2014 onwards

How can you give your views?

Please send the response form attached by Friday 25 July 2014 to:

Judith Joseph, School Place Planning Officer
Brent Civic Centre
5th Floor, Brent Civic Centre
Engineers Way, Wembley
HA9 0FJ

Or send an email by Friday 25 July 2014 to:

judith.joseph@brent.gov.uk

Or attend a meeting :

Date - **Tuesday 8 July 2014**
Time - **6pm**
Venue - **Key Stage 2 Hall, Manor School
Chamberlayne Road, London
NW10 3NT**

Please tear this page off

Manor School – Response Form

Please indicate your views (support, comments or objections) on the proposal to expand Manor School by 44 places by September 2015 by ticking the most appropriate boxes.

Expansion would mean we could:	Strongly	Agree	Don't	Disagre	Strongl
Improve educational facilities for SEN pupils:					
Help meet the growing demand for school places:					
Offer more places to children within the area					
I support the proposal:					

Please add other comments on the proposal (continue overleaf if necessary)

Name: _____

Address: _____(optional)

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I am a:

Parent/ Carer

☐

Member of Staff

☐

Local Resident

☐

Governor at School

☐

Prospective Parent

☐

Other, specify

Please return the response form to the address below by Friday 25 July 2014.

Judith Joseph, School Place Planning Officer
Brent Civic Centre
5th Floor, Brent Civic Centre
Engineers Way, Wembley
HA9 0FJ

Alternatively, you could leave the form in the school reception for collection.

Comments continued if necessary



Statutory Notice

Brent Council proposed changes to Manor School

Notice is given in accordance with Sections 19(1) and 21(2) of the Education and Inspections Act 2006 (as amended by the Education Act 2011) that the London Borough of Brent (the Local Authority) intends to make a prescribed alteration to Manor School, Chamberlayne Road, London, NW10 3NT (DfE number 3047006) from 01 September 2015.

Manor School is a maintained community special school located in the south eastern region of the London Borough of Brent. It is designated to provide school places for primary aged pupils between the ages of 4 to 11 years old with Moderate Learning Difficulties / Autism Spectrum Disorder (ASD).

The Local Authority, Brent Council is proposing to change the character of Manor School by expanding the school by 44 places for students aged 4 – 11.

The school currently has provision for 132 permanent places and the proposal is to increase the school to 176 permanent places by September 2015. In April 2014 a temporary/bulge class of eight places was created. These eight places will become part of the 44 permanent places for September 2015.

A recent feasibility study shows Manor School has the capacity to provide much needed additional school places at the current school site. This can be achieved by adapting the existing accommodation through internal remodelling and the building of a part single/part two storey extension. There are also plans for external works to form better all weather play surfaces.

The proposed expansion will represent a significant investment in the school to ensure that the premises are adapted according to the feasibility

to fully meet the needs of the new intake of pupils. This project will be part funded by target basic needs funding from the Department for Education.

This proposal supports the aims of Brent's overarching plan for Children and Families (Children and Young People's Plan). It is aimed at priority one, ensuring that children and young people are healthy and safe and priority two, ensuring sufficient local school places to meet continuing increasing demand from local children. The proposal also supports the LA's strategy for increasing the provision for students with disabilities and Special Educational Needs (SEN) and the proportion of school buildings accessible to students with disabilities.

All applicable statutory requirements to consult in relation to this proposal have been complied with.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: Judith Joseph, School Place Planning Officer, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ. Email: judith.joseph@brent.gov.uk. Alternatively a copy of the complete proposal can be obtained from: <http://www.brent.gov.uk/consultations.nsf>.

A limited translation and interpretation service is available for this document and upon request. Please contact Judith Joseph on 0208 937 1061.

Within six weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Judith Joseph, School Place Planning Officer, 5th Floor, Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ. Email: judith.joseph@brent.gov.uk. **The deadline for representation is Thursday 30 October 2014.**



Signed:

Sara Williams, Operational Director Early Help and Education

Publication Date: Thursday 18 September 2014

Explanatory Notes

- The proposed change to expand and broaden the designation of Manor School will not affect the education of students currently attending.