



Report sponsor: Councillor John Whitby, Cabinet Member for Children's Social Care, Learning and Skills, Andy Smith, Strategic Director for People Services

Report author: Gurmail Nizzer, Director for Children's Integrated Commissioning

## **ITEM 9**

### **Proposal to extend the age range and size of Kingsmead Special School**

#### **Purpose**

- 1.1 Kingsmead Special School offers a variety of specialist provision and currently provides 90 places for pupils aged 11-16. As part of Derby City Council's SEND Strategy and Vision - 'Living My Best Life', a proposal has been developed to permanently extend the age range of Kingsmead Special School from 11-16 to 7-18 from September 2023.
- 1.2 The proposal would result in 20 primary places being created in Year Groups 5 & 6, making a maximum number of 110 pupils at the school. In addition, the proposal is for a small number of post-16 places (up to 5 places) to be provided on a personalised, individual basis, within the 90 secondary places available.
- 1.3 The proposal is considered as very positive as it aims to increase special school places, bringing provision into the City, to meet with growing demand. The additional capacity will result in greater potential for children to access provision locally, within Derby.
- 1.4 The Governing Body of Kingsmead Special School, supported by the Council, has taken forward a statutory process on the proposal including a four-week initial consultation period, which ran from 27 March 2023 to 24 April 2023, and the publication of a statutory notice on 8 May 2023 with a further four-week formal representation period. A copy of the Statutory Notice is attached as Appendix 1.
- 1.5 The responses received during the initial consultation period are summarised in Appendix 2. All comments received were carefully considered by the Governing Body and a decision taken to progress to the next stage of the process, including a formal representation period. No comments or objections were received during the formal representation period.
- 1.6 Given the need for additional specialist support for children and young people with SEMH needs in the City, this report recommends that Council Cabinet approves the proposal to extend the age range and size of Kingsmead Special School from September 2023. Kingsmead Special School is a maintained school, for which the Council is responsible.

#### **Recommendation**

- 2.1 To approve the proposal to extend the age range of Kingsmead Special School from 11-16 to 7-18, creating an additional 20 places at the school, from September 2023

## **Reason**

- 3.1 Through the development of Derby City Council's SEND Strategy and Vision - 'Living My Best Life', and careful consideration of local SEND data, it has been identified that there is a growing need for Social, Emotional and Mental Health (SEMH) provision in the City. The proposed additional specialist places will increase opportunities for children and young people with SEND to attend a local school. The Governing Body of Kingsmead Special School has carried out the statutory process on the proposal, including consultation with a wide range of interested parties. Council Cabinet is asked to take the final decision on the proposal.

## Supporting information

- 4.1 Through careful consideration of local Special Educational Needs and Disabilities (SEND) data, it has been identified that there is a growing need for Social, Emotional and Mental Health (SEMH) provision in the City. The aim is that parents of children with an Education, Health and Care Plan (EHCP) residing in Derby should be able to gain a place for their child in a Derby City Special School, as far as possible and appropriate.
- 4.2 Kingsmead School is a Community Special School offering a variety of specialist provision for young people with Special Educational Needs and Disabilities, including Social, Emotional and Mental Health (SEMH) provision. The school currently provides 90 places for pupils aged 11-16.
- 4.3 As part of Derby City Council's SEND Strategy and Vision - 'Living My Best Life', a proposal has been developed to permanently extend the age range of Kingsmead Special School from 11-16 to 7-18 from September 2023. The proposal would result in 20 primary places being created in Year Groups 5 & 6, making a maximum number of 110 pupils at the school. In addition, the proposal is for a small number of post-16 places (up to 5 places) to be provided on a personalised, individual basis, within the 90 secondary places available.
- 4.4 The proposal is considered as very positive as it aims to increase special school places, bringing provision into the City, to meet with growing demand. The additional capacity will result in greater potential for children to access provision locally, within Derby.
- 4.5 Under Department for Education (DfE) guidance entitled 'Making significant changes ('prescribed alterations') to maintained schools', governing bodies of community special schools are able to carry out statutory processes on changing the age range and size of their school, with the Council as the decision maker.
- 4.6 The Governing Body of Kingsmead Special School, supported by the Council, has taken forward the statutory process on the proposal to extend the age range and size of the school including a four-week initial consultation period, which ran from 27 March 2023 to 24 April 2023, and the publication of a statutory notice on 8 May 2023, with a further four-week formal representation period. A copy of the Statutory Notice is attached as Appendix 1.
- 4.7 The responses received during the initial consultation period are summarised in Appendix 2. All comments received were carefully considered by the Governing Body and a decision taken to progress to the next stage of the process including a formal representation period. No comments or objections were received during the formal representation period.
- 4.8 Given the need for additional specialist support for children and young people with SEMH needs in the City, this report recommends that Council Cabinet approves the proposal to extend the age range and size of Kingsmead Special School from September 2023. If the proposal goes ahead, Derby City Council will support the school with the accommodation needed for all young people on roll. Kingsmead Special School is a maintained school, for which the Council is responsible.

## Public/stakeholder engagement

- 5.1 The Governing Body of Kingsmead Special School, as a Governing Body of a Community Special School, is able to carry out the statutory process on a proposal to change the age range and size of the school. Following the initial consultation period, which ran from 27 March 2023 to 24 April 2023, a statutory notice was published by the Governing Body on 8 May 2023, marking the start of a further four-week representation period (formal consultation period).
- 5.2 The statutory representation period has now closed. No comments or objections were received during the statutory representation period. Council Cabinet is asked to take a final decision on the proposal.

### **Other options**

- 6.1 A range of options have been considered on SEND proposals, in co-production with the local area, to help inform a series of priorities. The Kingsmead Special School proposal has been identified as part of that process.

### **Financial and value for money issues**

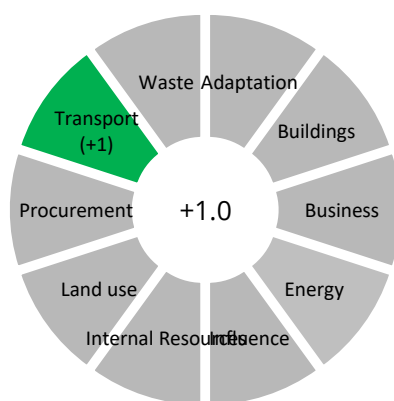
- 7.1 Careful consideration has been given to the allocation of capital and revenue funding to deliver the proposal, as part of the wider SEND Strategy.
- 7.2 Provision has been made for the places and the additional capacity outlined in this report will be funded via the Dedicated Schools Grant in line a revised Service Level Agreement with the Kingsmead School.

### **Legal implications**

- 8.1 The legal statutory process on the proposal was commenced by the Governing Body of Kingsmead Special School, with the support of the Council, and a decision is now required. The key stages of the process are as follows:
- Initial consultation including with parents, staff and other schools.
  - Governing Body consideration of any responses to the consultation.
  - Publication of a statutory notice and complete proposal document.
  - A four-week statutory representation period (formal consultation period).
  - Decision (to be taken by the Council).
  - Implementation.

## Climate implications

9.1



9.2 In line with Council policy, a Climate Impact Assessment has been carried out for this proposal. If Kingsmead Special School changes its age range, with an additional 20 places, there is increased potential for pupils with SEND to access local provision, rather than travelling to special schools located outside of Derby.

## Socio-Economic implications

10.1 Kingsmead Special School accommodates pupils with Special Educational Needs and Disabilities (SEND) from across different areas. The proposal is considered as positive as it aims to increase special school places to meet with growing demand, with greater potential for children to access provision locally, within Derby.

## Other significant implications

### Personnel

11.1 None arising from this report.

### Equalities

11.2 None arising from this report.

### Property and Asset Management

11.3 None arising from this report.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal	Simon Brown, Legal Services	12 June 2023
Finance	Janice Hadfield, Head of Finance	15 June 2023
Service Director(s)	Gurmail Nizzer, Director for Children's Integrated Commissioning	15 June 2023
	Pauline Melvin, Director for Learning, Inclusion and Skills	15 June 2023
Report sponsor	Gurmail Nizzer, Director of Children's Integrated Commissioning.	15 June 2023
Other(s)	Diane Whitehead, Head of School Organisation and Provision.	15 June 2023
	Paula Nightingale, Head of Inclusion	15 June 2023

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**Background papers:**

None

**List of appendices:**

Appendix 1 – Statutory Notice

Appendix 2 – Summary of responses received during the initial  
consultation period



**Mike Pride**

Executive Headteacher  
Kingsmead School & Newtons Walk  
Bridge Street  
Derby  
DE1 3LB

**Age Range Extension at Kingsmead School**

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that the Governing Body of Kingsmead School, with the support of Derby City Council, intends to make a prescribed alteration to Kingsmead School, Brighton Road, Derby, DE24 8TE from 1 September 2023.

The Kingsmead School Governing Body and Derby City Council are proposing to permanently extend the age range at Kingsmead School from 11-16 to 7-18. The proposal is to create 20 primary places in Year 5 & 6 primary year groups. The current capacity of the school is 90 and the proposed capacity will be 110 (20 primary places and 90 secondary places).

The proposal is for post 16 places to be commissioned based on a personalised approach, within the 90 secondary places available.

Subject to the approval of Derby City Council, the Governing Body of The Kingsmead School will implement this proposal from 1 September 2023.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: The Kingsmead School, Brighton Road, Derby, DE24 8TE. The complete proposal is also available to view on the school's website: <https://kingsmead-derby.co.uk/special-school/>

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by sending them to Derby City Council using the following address: The Learning and Skills Service, People Services Directorate, The Council House, Corporation Street, Derby, DE1 2FS

Publication Date: 8 May 2023

### **Proposal to extend the age range and size of Kingsmead Special School Initial Consultation Period - Summary of Responses**

#### **Key Stage 2 Provision at Kingsmead Special School**

From 27<sup>th</sup> March to 24<sup>th</sup> April 2023, the school held an initial consultation with stakeholders on a proposal to change Kingsmead Special School to a Key Stage 2-5 school. Places in Key Stage 2 are planned for primary school years 5 & 6 only, and there is no immediate commissioning agreement. Key Stage 5 will be commissioned on a case-by-case basis.

During the consultation, the school has discussed proposals with the following stakeholders:

- Staff
- Students
- Parents
- Other School Leaders
- Trade Unions

#### **Pupil View Responses**

Pupils have had the opportunity across all sites to discuss the proposal. They identified that some sort of separation between age groups is required to ensure that younger pupils feel safe, so appropriate security and buildings are required.

Pupils were also really keen for post 16 opportunities within school, one saying 'this sounds like a good plan for those than need it' and another said 'KS5 would be brilliant opportunity as it would give year 11 students who missed a lot of learning in English and Maths a chance to improve their predicted grades'.

One pupil did say there needs to be some caution around mixing young and older pupils.

#### **Parents View Responses**

Through the consultation very few responses were received from parents, with two unnamed and undecided responses.

The school met with one parent, who said it was a good idea, 'as there is little or no provision in our city'. Also, the current PRU is not suitable for some of the children as they do need a different type of setting.

One parent did raise concerns that limited resources may be stretched further and reassurance was given to the parent that this won't be the case.

#### **Staff View Responses**

No staff responses have been received. Staff have been aware of the proposal for over 18 months, which may be a contributing factor when considering the lack of response.

#### **Union Responses**

One email from union groups was received who wished to confirm contractual arrangements, which the school was able to clarify. There has been no further response.

#### **Other Stakeholder Views**

The Special School sector are fully supportive of the proposal and no secondary or primary schools have raised any concerns. The Headteacher has presented the proposal at various headteacher meetings and the presentations have been well received. Additionally, the Headteacher has presented the proposal at the Inclusion Group, which is fully supportive.