



DERBY CITY COUNCIL

**COUNCIL CABINET**  
17<sup>th</sup> April 2007

**ITEM 7**

Report of the Cabinet Member for Children and  
Young People

## **Establishment of a New Community Special School**

### **SUMMARY**

- 1.1 This report seeks Cabinet approval for the publication of a statutory notice under the School Standards and Framework Act 1998 for the establishment of a new community special school.
- 1.2 Following the approval of the Council's budget for 2007/08 and indicative budget for 2008/09, this report relates to the proposal to establish a special school and make changes to the current Pupil Referral Unit facilities (PRU).
- 1.3 A consultation paper was published and circulated to all key stakeholders in this matter following publication of the Council's 2007–10 budget strategy. A copy of the consultation paper is attached as appendix 2 to the report.

### **RECOMMENDATION**

- 2.1 To approve the publication of a statutory notice for the establishment of a new community special school.

### **REASON FOR RECOMMENDATIONS**

- 3.1 The issuing of this notice is a statutory requirement for the planned establishment of the new special school which has been subject to a six week consultation period. In order for the proposal to now move to implementation as described in the Council's budget strategy this statutory notice is required.



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**ITEM XX**

Report of the Corporate Director of Children  
and Young People

## **Establishment of a New Community Special School**

### **SUPPORTING INFORMATION**

- 4.1 Following the approval of the Council's budget for 2007/08 and indicative budget for 2008/09, this report relates to the proposal to establish a special school and make changes to the current Pupil Referral Unit facilities (PRU).
- 4.2 The Council proposes the establishment of a special school to meet the needs of key stage three and four young people, with particular behavioural, social and emotional needs. It also includes the related arrangements to create a key stage three and four pupil referral facility specifically for Looked after Children with similar complex needs. The full consultation paper is attached at Appendix 2.
- 4.3 The required six week consultation period with interested parties has now been completed, and ended on 19 March 2007. The consultation paper was circulated to a wide range of interested parties. No objections were received during this period. However, two responses from officers within the department were received raising technical questions. It has been confirmed that these are scheduled to be addressed in the operational phase of this proposal.
- 4.4 Following the end of this initial consultation period, there is a legal requirement to publish a statutory notice. Following Cabinet approval, this statutory notice will be published on 24 April 2007. This needs to be published in the press inviting any comments. The statutory consultation period will run for two months in order to allow all stakeholders to express their views and for these to be taken into account.
- 4.5 The outcome of this statutory consultation will be reported to Cabinet, together with the required prescribed information on 3<sup>rd</sup> July 2007. Cabinet approval at the end of the two month statutory consultation period would be followed by the necessary information being forwarded to the Schools Adjudicator, who is responsible for making a final decision.

### **OTHER OPTIONS CONSIDERED**

5. None – the publication of the notice is a statutory requirement.

**For more information contact:** Keith Woodthorpe Assistant Director mail: [keith.woodthorpe@derby.gov.uk](mailto:keith.woodthorpe@derby.gov.uk)  
**Background papers:**  
**List of appendices:**

## IMPLICATIONS

### Financial

1. None specifically arising from the report itself. The issuing of this notice is a statutory requirement and is necessary to progress the plans within the Council's approved budget for 2007/08 and indicative budget for 2008/09. The revenue budget approved by Council on 1 March included savings arising from the service proposal to re-designate a pupil referral unit and establish a new special school with a part year budget of £933,000 in 2007/08 rising to £1.6 million in a full year. This has transferred £1.6m of funding between the non-schools budget, central Schools Budget and delegated Schools Budget. The detailed financial implications of the proposals are set out in section 5 of the consultation document.

### Legal

- 2.1 A statutory notice will be required for this proposal under the School Standards and Framework Act 1998.
- 2.2 Following the end of the two month statutory consultation period, the required prescribed information will be forwarded to the Schools Adjudicator for a decision.

### Personnel

3. None specifically arising from the report itself. The proposal being consulted upon does carry some personnel implications for existing staff which will be considered through the normal personnel and Trade Union processes. This proposal to establish a new special school does not carry with it any staffing reductions.

### Equalities impact

4. The proposal will ensure that services for some of the City's most vulnerable children will be enhanced and protected.

### Corporate objectives and priorities for change

- 5.1 The proposal furthers the Corporate Plan priority of *supporting everyone in learning and achieving*, focusing on the outcome of *improving educational achievement and narrowing the gaps in attainment*.



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## Designated Special School and Pupil Referral Unit Facilities Consultation Paper

### 1.0 Introduction

- 1.1 This consultation paper outlines the Council's proposals for the establishment of a special school to meet the needs of key stage 3 and 4 young people, with particular behavioural, social and emotional needs. It also includes the arrangements in tandem to this, to create a key stage 3 and 4 pupil referral unit group, specifically for Looked after children with similar complex needs.
- 1.2 The proposals are set in the wider Council context of a particularly challenging three-year budget cycle, as outlined in the 2007 – 2010 budget consultation paper. The challenge for the Children's Services Authority is to seek ways that not only protect those services for our most vulnerable children and young people, but also ensure scope for service improvement and closer integration of services. We believe these proposals do that, and are in line with the intention of the 2004 Children Act and the Government Green Paper – "Care Matters".

A handwritten signature in black ink that reads "Andrew Flack". The signature is written in a cursive style and is underlined with a single horizontal line.

**Andrew Flack,  
Corporate Director for Children and Young People  
Derby City Council**

## **2. Summary and Background Information**

- 2.1 This proposal has two separate, but related parts. Both parts are concerned with providing services that should see improved outcomes for the City's most vulnerable and challenging young people. The proposals also provide some protection for those services that are concerned with meeting the needs of more vulnerable children across the City. Without this initiative, they would see a significant reduction in the services that currently contribute to the five "Every Child Matters" outcomes, and the consequent adverse impact on their safeguarding and educational needs.
- 2.2 The first part of this proposal relates to the creation of a special school specifically for those children and young people at key stage 3 and 4, who are currently placed long term at the Pupil Referral Unit (PRU). Many authorities have similar provision for those young people with particularly challenging emotional, social and behavioural needs, who find it very difficult to be sustained in a mainstream school. Being placed long term, or for an indeterminate period within a pupil referral unit, is not an appropriate means of meeting their educational and developmental needs.
- 2.3 The opportunity to create this special school facility is greatly assisted by the current new build taking place on the Kingsmead site. This will give us a brand new building designed to meet the needs of the young people we are considering in this consultation paper. This new facility will be the main hub of the new special school, supported by a range of satellite provisions across the city.
- 2.4 The newly formed special school will have a governing body, together with a named Head Teacher. We intend to specifically commission this school to provide a range of provision currently delivered through the City's pupil referral unit for specific key stage 3 and 4 pupils. It would be constituted as a special school and it is envisaged that the remaining PRU facilities will also be managed by the special school Head Teacher. This will maximise co-ordination and flexible use of these facilities, which are intended to support young people with the greatest need.
- 2.5 The special school would have its own budget funded in the normal way through the delegated schools budget. It is anticipated that the full cost will be in the order of £1.6M in a full financial year, seven twelfths of this being met in financial year 2007 – 2008, with a September 2007 commencement date.
- 2.6 The second part of our proposal links to the recently published Green Paper – "Care Matters" – which stresses the importance of improving outcomes for children and young people who are looked after by the Local Authority. With a new integrated Children's Services Department we have the opportunity to improve our arrangements for those young people looked after who have the greatest level of need.
- 2.7 In the last year, we have developed and piloted an enhanced care facility at Moorfield Children's Home that is capable of providing flexible and targeted educational provision for these young people. It is proposed that this arrangement is further strengthened through formally accrediting Moorfield as part of the pupil referral unit specifically for these looked after young people. The capacity created in the central schools budget through the establishment of the special school will enable us to achieve this. This will enable a far

stronger focus to be given to the special educational needs of this group of young people, for whom the City has Corporate Parenting responsibility.

### **3. Supporting information**

- 3.1 Currently PRU placements are intended to provide a short/medium term solution, but in reality a significant number of the current KS3/4 pupils have been on roll for over 12 months. Acknowledgment of the need to provide longer term placements through the new special school would provide stability and improved progression routes for those pupils with social, emotional and behavioural needs. Through placement within a designated special school, a more appropriate and targeted provision can be developed to support the individual needs of such pupils.
- 3.2 A significant number of existing KS3/4 pupils have a statement of special educational need, linked specifically to social, emotional and behavioural needs. A successful return to mainstream school is an unrealistic expectation.
- 3.3 This proposal will provide an increased opportunity to work together to develop the range of provision for pupils with social emotional and behavioural difficulties across other special schools.
- 3.4 Children who are looked after by local authorities do less well educationally, as a group, than other children. Despite investment in improving educational outcomes, firstly through the Quality Protects programme, and also in Derby through the Gatsby Project, looked after children still fall well behind their peers educationally. The Government Green Paper on looked after children, Care Matters, identifies further improvement in looked after children's educational attainment as a priority for local authorities.
- 3.5 A small number of looked after children currently do not have suitable education placements. Most of them are excluded pupils, some with statements, who present management difficulties in mainstream schools and existing PRU groups and need specialised individual programmes.
- 3.6 This proposal will enable us to integrate services through multi-disciplinary team working on the site of our largest Children's residential facility, and provide tailored programmes which will complement education provided in mainstream schools and existing PRU groups. It will strengthen our ability to address complex needs, improve and sustain engagement in education, support and promote stability of care placements and reduce the need for out of authority placements on either care or educational grounds.
- 3.7 There are currently a number of children looked after who have complex needs, and who are not satisfactorily placed in either mainstream education or the PRU, and require specialist educational provision. The combination of the new special school and a Key Stage 3/4 PRU group based at Moorfield will support the provision of specialist individual programmes alongside and in addition to off-site education provided in mainstream, or the PRU facilities.
- 3.8 A multi-agency approach developed at Moorfield through the Enhanced Care project, will allow us to address educational, emotional, behavioural and mental health issues holistically, improving children's life chances across the five outcomes of Every Child Matters.
- 3.9 The Council provides 17 residential placements at Moorfield and another 24 elsewhere. An estimated 11 looked after children are not receiving suitable education under existing arrangements. There is space to provide education for up to four children at any one time at Moorfield, and scope to increase this with minor changes. It is anticipated that up to 12 Moorfield residents would receive their education through the Moorfield PRU group, some

part of it being provided on-site. Children from other children's homes could benefit from some educational input from the Moorfield PRU group, on or off-site. Any additional capacity could benefit other pupils who are not looked after but who need specialist individual provision. The number would be limited by space, the role of Moorfield as a children's home and the demands of whole-site behaviour management.

- 3.10 Currently Moorfield is registered as a children's home for up to 17 children with emotional and behavioural difficulties by the Commission for Social Care Inspection (CSCI). This function will be taken over by OFSTED during 2007. Registration of any educational facility by the DfES would be dependent on CSCI accepting that the educational facilities enhance its role and that the redesignation has a positive impact for the children living there.

#### **4.0 Management and governance arrangements**

- 4.1 A new special school would need to have a governing body. Governing bodies must have between 9 and 20 governors. The PRU has an existing management committee. We would propose that these members could become the governing body of the new school, with some adjustments or additions.
- 4.2 A governing body is made up of different categories of governors reflecting the various interests: parent governors, staff governors, community governors and LEA governors (who are appointed by the Local Authority). We would propose a model to incorporate the existing committee members, and identify whether more governors are needed to ensure representation of the various categories of governors. There are principles which dictate the numbers for each category.
- 4.3 Governors have a range of powers and responsibilities under legislation. These include managing the school's budget, determining staffing numbers, making decisions on staff pay, appointing the head teacher and deputy head teacher and determining how the appointment of other staff will be managed, approving relevant policies and drawing up action plans following inspections. Governors of the new special school will, therefore, have autonomy in these functions which are currently undertaken centrally by the Council.
- 4.4 The Children and Young People's Department will commission the new special school to provide 120 places and to operate and manage the wider PRU facilities.

#### **5.0 Financial information**

- 5.1 The budget for Children and Young People's Services is split between the Schools Budget and the non-schools budget. The Schools Budget is funded from a ring-fenced grant – the Dedicated Schools Grant (DSG) and is itself split between funding delegated to schools and central services. These central services include the PRU and other special educational needs provision. The central part of the Schools Budget cannot increase faster year on year than funding delegated to schools without the agreement of the Schools Forum, a body with Headteacher and governor representatives. The non-schools budget is part of the Council's general funding and is subject to the same constraints of Council Tax increases as are other services.
- 5.2 The effect of the proposals is to move £1.6m funding relating to Moorfield from the non-schools budget to the central part of the Schools Budget, as it becomes part of the Pupil Referral Unit. Funding of £1.6m for the new Special School will be met from the delegated schools budget.
- 5.3 Schools with delegated budgets are funded through a locally agreed formula, so the new special school would have a budget calculated in line with the Council's existing special school formula. Special school budgets are mainly based on the number of places of a particular type "purchased" by the authority. The intention is to maintain the existing level of

funding. As with other schools, the governors of the new school would have additional responsibilities and decision-making powers over services previously provided by the authority automatically, and would carry forward surpluses or deficits from year to year.

- 5.4 There are no specific capital implications for this proposal. It is, however, part of the proposed new 45 place key stage 3 PRU facilities currently being built at Kingsmead. Construction is underway for this £3.4m capital project, with exciting new premises scheduled to open for September 2007.

## **6.0 Staffing implications**

- 6.1 It is not anticipated that the re-designation of parts of the PRU as a Special school will lead to any redundancies. However, a review of the current PRU and Behaviour Support Service (BSS) staffing structure would need to take place to ensure that it supports the long-term development of both the Special School, PRU facilities and BSS, with particular focus on a review of the leadership and structure.
- 6.2 Career development opportunities may become available for existing PRU and BSS staff, particularly in the development of the new looked after Children PRU group based at Moorfield.
- 6.3 The impact on residential childcare workers will be twofold. It will provide a career development opportunity for some workers who opt to work as part of the multi-disciplinary team. For workers in the residential part the adoption of a 24-hour approach to the curriculum for these young people will bring significant improvements to their programmes. This in turn will impact positively on their ability to provide effective care and control and free up time for other essential duties such as care planning, supervision and training.

## **7.0 Contact information**

- 7.1 We are very interested in your views and welcome your comments. Please respond to us by using the response sheet attached to this paper.
- 7.2 Should you wish to discuss any specific aspects of this proposal, please contact **Keith Woodthorpe, Assistant Director, Specialist Services, Children and Young People's Department**. Tel 01332 256704. E-mail: [keith.woodthorpe@derby.gov.uk](mailto:keith.woodthorpe@derby.gov.uk).

## **8.0 Timescale / Next steps**

- 8.1 The proposed six-week consultation period for responses will end on **Monday 19 March 2007**. The outcome of this consultation will be reported to Council Cabinet for consideration and decision to progress to the next stage. A formal public notice will be published with a further two-month statutory consultation period as required under the legislation.



## Designated Special School and PRU Facilities - Consultation Response Form

We are very interested in your comments on this proposal. Please use this response sheet to let us have your views. (Please use continuation sheet if you wish).

**Signed**.....

**Date**.....

**Status**.....

(e.g. parent, governor, school, agency, other)

**Completed forms to be returned to:** Jacqueline McCalla, Children and Young People's Department, Middleton House, 27 St Mary's Gate, Derby DE1 1NN E-mail: [jacqueline.mccalla@derby.gov.uk](mailto:jacqueline.mccalla@derby.gov.uk)

Consultation closing date: **Monday 19 March 2007**