

**Decision Maker:** EDUCATION PORTFOLIO HOLDER

**Date:** Wednesday 21 August 2013

**Decision Type:** Non-Urgent Executive Non-Key

**Title:** GLEBE SPECIAL SCHOOL - DETERMINATION OF STATUTORY NOTICE

**Contact Officer:** Dr Tessa Moore, Assistant Director Education  
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**Chief Officer:** Executive Director of Education, Care & Health Services

**Ward:** West Wickham;

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1. Reason for report

This report seeks approval for the determination of a public notice published by the Council on 12 June 2013 on behalf of the Governors of Glebe Foundation School for the expansion of the school by the addition of 16 pupils per year from 1 September 2014. It also seeks approval to ask the Executive for drawn down of a £4.8m loan from the Council's reserves to be repaid from the Dedicated Schools Grant (DSG) as agreed in principle at the July 2012 Executive.

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2. **RECOMMENDATION(S)**

**That the Portfolio Holder approves:**

- 2.1 the expansion of Glebe Foundation School as set out in a statutory notice published on 12 June 2013 attached at Appendix A and
- 2.2 that the Executive be asked to approve the drawdown of a £4.8m loan from the Council's reserves that will be repaid from the Dedicated Schools Grant (DSG)

## Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Children and Young People
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## Financial

1. Cost of proposal: Estimated Cost £4.8m (2013/14)
  2. Ongoing costs: Non-Recurring Cost:
  3. Budget head/performance centre: Dedicated Schools Grant
  4. Total current budget for this head: £4.8m
  5. Source of funding: Dedicated Schools Grant
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## Staff

1. Number of staff (current and additional): 4 staff from the ECS Department were involved in the whole consultation process to varying degrees.
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  2. If from existing staff resources, number of staff hours: Approx 40 staff hours in total
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## Legal

1. Legal Requirement: Statutory Requirement The statutory notice was published under Section 19(3) of the Education and Inspections Act 2006.
  2. Call-in: Applicable:
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## Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 104 parents and carers
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## Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes
2. Summary of Ward Councillors comments: None received although support was given by Ward Councillors at the consultation stage

### **3. COMMENTARY**

Following the approval of a report on 19 March 2013 setting out the result of an informal consultation process on the proposed expansion of Glebe Foundation School, and where it was agreed to proceed to statutory consultation, a notice was published in the Bromley News Shopper on 12 June 2013. This invited comments or objections to the proposal to enlarge the school by 16 places per year from September 2014.

No comments or objections have been received. It is therefore recommended that the notice is approved to give effect to the proposed change.

### **4. POLICY IMPLICATIONS**

The policy implications were fully set out in the previous report on the consultation. In summary, the numbers of secondary age students being diagnosed with Autistic Spectrum Disorder is growing and the proposal to expand Glebe School will enable more students to be placed in an appropriate setting within the borough. This will allow them to maintain local contacts and make it easier for parents and carers to support their children in the school. Glebe has already developed a substantial expertise in this area and the expansion will allow this good practice to be extended. Placing children in out borough schools also diverts money away from local schools, and the provision is more difficult to monitor.

The proposal was widely supported at the consultation stage by parents, carers, other schools and agencies with an interest in this area of special educational needs.

A copy of the statement of case on the DfE template is attached at Appendix B.

### **5. FINANCIAL IMPLICATIONS**

The expansion of the school will require building alteration to accommodate the additional numbers, at an estimated cost of £4.8m. On 25 July 2012 the Executive agreed in principle, and subject to the satisfactory conclusion of this statutory consultation, a loan from Council reserves of £4.8m to resource these works, to be repaid from the Dedicated Schools Grant over 6 years, offset by savings in out borough placements. This, and the subsequent procurement arrangement, is subject to a further report to the Executive in September 2013.

The costs of educational placements (both maintained and non-maintained and in/out borough) is funded from the Dedicated Schools Grant (DSG) and the cost of transport through the Revenue Support Grant (RSG). By placing children in Glebe rather than out of borough the Council would save £5.8m on DSG and £924k on RSG over a 7 years (cumulative) period, taking into account the full savings in the year after completion. The calculations for the savings totals are detailed in Report ED12015.

### **6. LEGAL IMPLICATIONS**

In the case of a Foundation School, the Governors may publish a notice to enlarge the school and it falls to the Council to decide the matter. In this case, the Governors agreed that the Council should publish on its behalf.

The statutory notice was issued in accordance with the requirements as set out in the relevant legislation above. Section 21 of the Education and Inspections Act 2006 provide for regulations to set out who must decide proposals for any prescribed alterations, and Schedules 3 and 5 of the same Act make detailed provision for these to be approved by the Local Authority.

If the LA fails to decide proposals within two months of the end of the representation period the LA must forward proposals, and any received representations (not withdrawn in writing) to the schools adjudicator for decision.

Appeals may be made against the decision within four weeks, to be decided by the adjudicator.

The LA has a duty to implement the proposals once decided.

## 7. PERSONNEL IMPLICATIONS

There are no immediate implications for staffing arising from this report. Should proposals for changes to the school size and organisation be progressed, the school will require support on an individual basis. Implications may include the grading for the Head Teacher as the Individual School Range may be affected, and the number of teaching Full Time Equivalent (FTE) staff required to facilitate the curriculum and support the infrastructure.

<b>Non-Applicable Sections:</b>	None
Background Documents: (Access via Contact Officer)	19 March 2013 ED13030: Consultation Outcomes: Proposal to expand Glebe School  25 July 2012 ED12015 Executive

## PUBLIC NOTICE

### ENLARGEMENT OF GLEBE FOUNDATION SPECIAL SCHOOL

Notice is given in accordance with section 19(3) of the Education and Inspections Act 2006 that the Governing Body of Glebe Foundation Special School intends to make a prescribed alteration to Glebe Foundation Special School Hawes Lane West Wickham Kent BR4 9AE School from 1 September 2014.

The Governing Body proposes to enlarge the school by the admission of an additional 16 pupils with Autistic Spectrum Disorder from September 2014 and in each year thereafter.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from the address given below.

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 Iain Johncock, Head of Strategic Place Planning, London Borough of Bromley, Civic Centre, Bromley BR1 3UH, on behalf of the Governing Body.

Signed: Terry Parkin, Executive Director,  
Education Care and Health Services

Publication Date: 12 June 2013

#### **Explanatory Notes**

- 1 Glebe is a Specialist School for Cognition and Learning that caters for a range of students with special educational needs.
- 2 Funding for the enlargement of the school is provided in the Council's capital programme.
- 3 The school will provide a total of 104 new places, 16 in years 7-11 and 12 in years 12 and 13 when fully implemented.
- 4 The proposed enlargement will allow more students with Autistic Spectrum Disorder to be placed locally rather than out of borough, and at lower cost.

Civic Centre  
Stockwell Close,  
Bromley BR1 3UH



## PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

### Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):

#### **In respect of a Governing Body Proposal: School and governing body's details**

1. The name, address and category of the school for which the governing body are publishing the proposals.

Glebe Special (Foundation) School, Hawes Lane, West Wickham, Bromley BR4 9AE

London Borough of Bromley, Civic Centre, Bromley BR1 3UH

#### **In respect of an LEA Proposal: School and local education authority details**

1. The name, address and category of the school .

#### **Implementation and any proposed stages for implementation**

The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

1 September 2014

#### **Objections and comments**

A statement explaining the procedure for making representations, including —

the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and

the address of the authority to which objections or comments should be sent.

Comments should be sent to Iain Johncock, Head of Strategic Place Planning, Education and Care Services, London Borough of Bromley, Civic Centre, Bromley BR1 3UH by 24 July 2013

#### **Alteration description**

A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

Glebe is a Specialist School for Cognition and Learning that caters for a range of students aged 11-19 with special educational needs. The proposal is to expand the school by two forms of entry, i.e. by 16 children in each year group to provide for the increasing demand for in borough places for students with Autistic Spectrum Disorder.

## School capacity

—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The current capacity of the school is 158. The proposals will increase the number of students in the school by 104 to a maximum of 262.

details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

24, and after implementation 40 per year in year 7. In Year 11, 12 additional places will be available each year.

where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

The enlargement of the school will take place incrementally from Year 7 onwards.

where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

n/a

Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

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## Implementation

Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

n/a

## Additional Site

—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

No additional site is required.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

n/a

**Changes in boarding arrangements**

—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

n/a

the arrangements for safeguarding the welfare of children at the school;

n/a

the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

n/a

except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

n/a

Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

the number of pupils for whom boarding provision will be removed if the proposals are approved; and

n/a

a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

n/a

**Transfer to new site**

Where the proposals are to transfer a school to a new site the following information—

the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

n/a

the distance between the proposed and current site;

n/a

the reason for the choice of proposed site;

n/a

the accessibility of the proposed site or sites;

n/a

the proposed arrangements for transport of pupils to the school on its new site; and

n/a

a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

n/a

## Objectives

The objectives of the proposals.

The purpose of the expansion is to create additional high quality places in an outstanding school for students with ASD. Providing these within the borough will enable more students to attend a local school, maintaining friendship groups and making it easier for parents to support their children and the school. It will also provide for significant savings by avoiding the need for out borough placements.

## Consultation

Evidence of the consultation before the proposals were published including—

a list of persons who were consulted;

minutes of all public consultation meetings;

the views of the persons consulted;

a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and

copies of all consultation documents and a statement on how these documents were made available.

These are all set out in the consultation document and the subsequent Council report (ED13030)

## Project costs

A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

The total capital cost for the required extension to the school is estimated at £4.8m. These costs are to be met from the local authority's capital programme.

A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

A report is also included setting out the approved source of funds within the Council's capital programme.

**Age range**

Where the proposals relate to a change in age range, the current age range for the school.

n/a

**Early years provision**

Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

n/a

how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

n/a

evidence of parental demand for additional provision of early years provision;

n/a

assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

**Changes to sixth form provision**

(a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

The additional places in the sixth form (12 per year) will provide enhanced opportunities for the students to participate in education, life skills and training on accredited courses.

(b) A statement as to how the new places will fit within the 16-19 organisation in an area;

There is sixth form provision in all secondary schools in Bromley. Glebe works in partnership with local schools and Bromley College to provide a wide range of high quality opportunities for its students.

(c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

The consultation process highlighted the benefits and savings for the local community. Glebe is an outstanding school and the expansion will enable more local students with ASD to benefit from a place in a high quality local school.

(d) The proposed number of sixth form places to be provided.

24 additional places (12 in each year group)

Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

n/a

### Special educational needs

Where the proposals are to establish or change provision for special educational needs—  
a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

The school currently provides for a range of students with cognitive difficulties including Autistic Spectrum Disorder. Growth in the numbers of students diagnosed with ASD has led to the need for additional places. The students would be incorporated into the school on an incremental basis.

any additional specialist features will be provided;

No

the proposed numbers of pupils for which the provision is to be made;

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details of how the provision will be funded;

The revenue provision will be funded from the Dedicated Schools Grant (DSG).

a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

The school has links with others in the area offering specialist ASD provision, and from time to time students may share its facilities by way of good practice.

a statement as to whether the expenses of the provision will be met from the school's delegated budget;

The costs would be shared with the schools concerned.

the location of the provision if it is not to be established on the existing site of the school;

n/a

where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

n/a

the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

All the additional places are for children with special educational needs.

Where the proposals are to discontinue provision for special educational needs—  
details of alternative provision for pupils for whom the provision is currently made;

n/a

details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

n/a

details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

n/a

a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

The additional places are to be provided in a school rating outstanding by Ofsted at its last inspection in 2010. A high quality extension is proposed which would provide the spaces needed by the school to replicate its current practice for the additional students. The extra resources brought to the school will support a wider range of specialist teaching and facilities.

Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, 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 local education authority's Accessibility Strategy;  
improved access to specialist staff, both educational and other professionals, including any external support and outreach services;  
improved access to suitable accommodation; and  
improved supply of suitable places.

n/a

### Sex of pupils

Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

n/a

evidence of local demand for single-sex education; and

n/a

details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

n/a

Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

n/a

evidence of local demand for single-sex education.

n/a

### Extended services

If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

n/a

### Need or demand for additional places

If the proposals involve adding places—

a statement and supporting evidence of the need or demand for the particular places in the area;

The report sets out the evidence of growing demand for ASD places in the secondary phase which cannot be met in the borough. The proposed enlargement of Glebe School will allow these students to be placed locally rather than out of borough, and at lower cost.

where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

n/a

where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

n/a

If the proposals involve removing places—

a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

n/a

a statement on the local capacity to accommodate displaced pupils.

n/a

### **Expansion of successful and popular schools**

**25A.** (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

n/a