

DETERMINATION

Case reference: STP/000582

Proposal: To re-designate the Chiltern Way Federation Special School (BESD) to incorporate changes to the provision.

Proposer: Buckinghamshire County Council

Date of Adjudicator's Determination: 30 November 2012

Determination

Under the powers conferred on me in section 21 of the Education and Inspections Act 2006, I hereby approve the proposal to re-designate the Chiltern Way Federation Special School (the School) for pupils with behavioural, emotional and social difficulties (BESD) and to make the changes listed below.

- A. Increase the capacity of the Wendover Site to accommodate 130 boys, 11-16. (this site currently accommodates 65 boys.)**
- B. Change the Prestwood site to provide;**
 - 15 places for girls**
 - 10 places for post-16 pupils**
 - 20 places for pupils with most complex needs**
 - weekly boarding provision for 12 pupils either girls or boys**

The referral

1. On 28 September 2012 Buckinghamshire County Council (the Council) wrote to the Office of the Schools Adjudicator (OSA) referring a proposal to re-designate the Chiltern Way Federation Special School (the School) for pupils with behavioural, emotional and social difficulties (BESD) to incorporate the following changes:

- A. Increase the capacity of the Wendover Site to accommodate 130 boys,

11- 16. (this site currently accommodates 65 boys.)

B. Change the Prestwood site to provide;

- 15 places for girls
 - 10 places for post-16 pupils
 - 20 places for pupils with most complex needs
 - weekly boarding provision for 12 pupils either girls or boys
2. The statutory consultation concerning the proposal concluded on the 23 July 2012 and a cabinet decision should have been taken within two months of this date. As a result of staff annual leave, the decision was not taken within the required two month period and so the proposal was forwarded, as required, to the OSA.

Jurisdiction

3. Having carried out the appropriate consultation, the proposer formally published the proposal on 11 June 2012. The notice was in the form required by the Education and Inspections Act 2006 (the Act).
4. The Council did not make a determination within the two months period prescribed in paragraph 31 of schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 and therefore referred the proposal to the Adjudicator.
5. I am satisfied that this proposal has been properly referred to me in accordance with the Act and regulations thereunder and that, therefore, I have jurisdiction to determine this matter.

Procedures

6. In considering this matter I have had regard to all relevant legislation and guidance.

I have considered all the papers put before me including the following:

- prescribed information from the proposer as set out in the relevant School Organisation Regulations;

- the pre-consultation cabinet report of April 2012;
- the summary of responses to the consultation and the publication of statutory notices;
- the Wendover campus Ofsted report of May 2012; and
- the Prestwood Lodge Ofsted inspection report of March 2011.

The Proposal

The proposal is as follows.

7. The Council has been undertaking a review of Special Educational Needs schools across Buckinghamshire in order to determine whether the existing provision meets the current needs of the residents of the county. As part of its review of provision, the Council and the governing body of the School propose to increase the capacity of the Wendover site to accommodate 130 boys, 11-16 (this site currently accommodates 65 boys). Further, they propose to change the Prestwood site to provide 15 places for girls with behavioural, emotional or social needs 10 places for Post-16 pupils and 20 places for pupils with the most complex needs. They also propose to provide weekly boarding provision for 12 pupils either girls or boys.
8. The Prestwood Lodge and Wendover House sites of the School are the only dedicated provision in the county for secondary aged pupils with BESD. Both schools have the capacity to accommodate 65 pupils aged 11-16. In September 2010, they merged to form the Chiltern Way Federation to share best practice from each campus and improve the educational and behavioural outcomes for pupils.
9. The Council currently has 43 pupils with BESD placed in out of county, non-maintained provision at a cost of £3.9 million per year. It currently has no special school provision for girls with BESD hence 20 of the pupils placed out county are girls with BESD.
10. The Chiltern Way Federation currently has no Post-16 provision. This makes it the only Buckinghamshire secondary special school not to have such provision. The Chiltern Way Federation currently offers 14 weekly boarding places for boys on the Wendover Site. The proposal will increase this provision by a further 12 pupils to include girls.
11. The Council says that there has been an increase in the number of pupils with BESD who exhibit extremely challenging behaviour. This points to a need to provide a more individualistic and personalised timetable for some of the pupils who are unable to learn in a group teaching environment.

12. It is also clear that it currently has insufficient places for pupils with severe BESD. Placing them out of the country is not only expensive, it also runs counter to the Council's aim of providing improved access to those pupils most in need of extra support. Planning permission has been granted for the changes on both sites.
13. One response to the statutory consultation expressed concerns about the impact on the ethos of the school of the proposed increase in the number of pupils on the Wendover site. The Council understands the concern but believes that the proposed capital build will ensure that the School is able to offer a good education to an increased number of students.

Consideration of Factors

14. I have considered the proposal taking careful account of the points put to me by the proposer.
15. In particular I note that the most recent inspection report for the Prestwood Lodge site says that it "provides good education for its students. Since the appointment of the head teacher in April 2008, it has improved significantly and continues to do so. The head teacher leads by example with vigour, enthusiasm and determination. He has a clear vision for the development of the School in the context of the newly formed federation." The report also says that, "All students gain nationally recognised qualifications which are well matched to their needs and aspirations. Attainment is broadly average. Given their below average starting points on entry, this represents good progress and achievement."
16. Provision on the Wendover site was inspected in May 2012. Inspectors reported favourably on the impact of the federation arrangements as follows; "Federation leaders got to grips quickly with the situation that they unearthed in the autumn of 2011; deterioration in the quality of teaching, a decline in standards and a worsening of students' behaviour compared with previously. Powered by a combination of insightful leadership and the application of robust management procedures, leaders embarked upon a systematic programme of monitoring and evaluation, with the twin aims of raising the quality of teaching and improving students' behaviour."
17. These reports make it clear that the School has the capacity to manage the proposed developments and promote good progress and achievement amongst students.
18. The provision of additional places for students with BESD will improve their access to appropriate education. In addition, thought has been given to the need to develop an appropriate curriculum for these particular pupils and the proposals encompass the building of a new vocational teaching block as well as new classrooms. This

will also allow the extended-day offer to be enhanced.

19. The increase in student numbers will need to be managed carefully, but the Ofsted reports show that the head and the management team are successful at teaching pupils to manage their own behaviour and that, "behaviour around the school and in classrooms is good and, for the vast majority, greatly improved from when they first started. This sets an ethos in which the majority of students make good progress in their academic learning and for some, progress is excellent."
20. The expansion of the school and the provision of new specialist accommodation will result in pupils gaining access to more specialist teaching staff as well as health and other professionals.
21. There is clearly a need to create BESD places for girls, since the Council currently has none. Nor does it have post-16 BESD special school provision. This proposal would provide both.
22. From the point of view of both parents and children, it is preferable for children to be able to access school places as close to home as possible. Friendships and social links are maintained and children remain part of a community.
23. This also makes sense from a financial point of view, since external placements are expensive. In this case, the Council has budgeted for the developments so the resources are available.
24. The head teacher and the governing body of the School support the proposals. The consultation responses were overwhelmingly positive.

Conclusion

25. These proposals will provide better access to appropriate education for more young people with special educational needs. The young people will be closer to home and have enhanced extended school provision. The Council will spend less on more provision that is better. I therefore approve the proposal.

Determination

Under the powers conferred on me in section 21 of the Education and Inspections Act 2006, I hereby approve the proposal to re-designate the Chiltern Way Federation Special School (the School) for pupils with behavioural, emotional and social difficulties (BESD) and to

- A. increase the capacity of the Wendover Site to accommodate 130 boys, 11-16. (this site currently accommodates 65 boys.)
- B. change the Prestwood site to provide;
 - 15 places for girls

- 10 places for post-16 pupils
- 20 places for pupils with most complex needs
- weekly boarding provision for 12 pupils either girls or boys

Signed:

Schools Adjudicator: Mrs Janet Mokades

Dated: 30 November 2012