

## **DETERMINATION**

**Case reference:** STP/000554

**Referral body:** Cambridgeshire County Council

**Statutory proposal:** To establish a new community secondary special school.

**Date of decision:** 22 July 2011

### **Determination**

**Under the powers conferred on me by Schedule 2 to the Education and Inspections Act 2006, I hereby approve the proposal to establish a new community secondary special school from 1 April 2012.**

### **The referral**

1. In a letter dated 8 June 2011 Cambridgeshire County Council (the Council) the local authority (LA), referred to the Office of the Schools Adjudicator its proposal to establish a new community secondary special school.

### **Jurisdiction**

2. In a request to the Department for Education (DfE) dated 4 January 2011, the LA sought exemption from competition requirements for the new community secondary special school. The Secretary of State granted consent to publish proposals for a new community secondary special school on 21 March 2011. In a notice dated 27 April 2011 the LA published its proposal to establish the new school from 1 April 2012. The notice was in the necessary form as required by section 10 of the Education and Inspections Act 2006 (the Act) and the regulations made thereunder. I am satisfied that I have jurisdiction to consider this matter under the powers conferred by Schedule 2 to the Act.

### **Procedures**

3. I have considered the proposal and have had full regard to the Act, other relevant legislation and the guidance given by the Secretary of State.
4. I have considered all the papers put before me including the following:
  - a. information and supporting papers relating to discussion and decisions about establishing the new school leading up to the publication of the proposal and subsequently;

- b. response to the statutory consultation;
- c. prescribed information from the proposer as set out in the relevant School Organisation Regulations; and
- d. responses to requests for information from me.

### **The Proposal**

- 5. The proposal is to establish a new community secondary special school for pupils aged 11 to 18 years from 1 April 2012. The school would be formed by the amalgamation of three learner centres: Foxton Learner Centre; Fenland Learner Centre; and Hartford Learner Centre to become a multi-site school for secondary aged boys and girls who have a statement of special educational need (SEN) for whom mainstream secondary schools are unable to provide for their social, emotional and behavioural difficulties (SEBD)

### **Objections**

- 6. No comments or objections were received in response to the statutory notice.

### **Background**

- 7. The LA has been making provision for secondary aged pupils who have a statement of SEN for SEBD at three learner centres that historically were part of the LA's provision of Educated Otherwise Than At School (EOTAS). Two of the five original learner centres are registered as schools and are been formally accountable through Ofsted inspection, but the three remaining learner centres are not registered as schools and therefore are not accountable though the national inspection arrangements for all schools in England. The proposal would result in formalising the status of the three centres and include them in the recognised accountability arrangements.

### **Consideration of Factors**

- 8. I have taken into account material facts and other matters that I regard as relevant and as factual in coming to my decision.

### **Standards of Education**

- 9. Although the three centres have not been inspected by Ofsted, they were inspected in March 2011 by the LA's Standards and Effectiveness Team which assessed the centres against the Ofsted framework and evaluation schedule. The overall effectiveness of the Fenland Learner Centre was judged to be good, at Foxton it was satisfactory with good features and at Hartford it was satisfactory. The report makes clear the strengths of the centres and records a significant number of action points for each one. The report also lists issues for action by the LA and these will need to be dealt with fully and with due speed by the LA so that in turn the centres are better placed to take action on the

matters specified for them both before and after becoming part of the new school.

10. Establishing the centres as a multi-site school with the formal inspection that would follow should in my judgement assist in building on the various strengths identified at each centre and in tackling the shortcomings. A consistent approach across each site, for example to the provision of a full timetable for pupils, a wider curriculum and an improved range of resources, should help to encourage the pupils to strive to achieve the maximum of which they are capable. At the same time additional relevant training for teachers and support where needed should be more achievable with a governing body that can look across the school and seek well-targeted support for the school. I am persuaded that the new school should help to raise pupils' standards of education.

#### Need for places

11. The centres currently have capacity for pupils as follows at Fenland 30; Foxton 38; and Hartford 40 with 15; 35 and 30 pupils at each centre respectively: a total of 108 places with 80 on roll. The LA has informed me that while the review of provision for pupils who have SEBD has been taking place they have not filled all the places pending the outcome of their proposal to establish the new school. However, the LA's assessment is that it will need the full number of 105 places proposed for the new school as the number of young people needing the specialised provision is increasing. It also has 30 young people who have a statement of SEN who are placed in independent and non-maintained special schools. The LA would like to develop its own capacity, both in quantity and quality and opening the new school would be a step in that direction. I am satisfied that the proposed number of places is needed.

#### Finance

12. Estimates for funding the multi-site school have been prepared with note taken of the need to put in place systems and processes for the financial management of the new school. The LA is aware that there are costs associated with a number of issues and it will need to make appropriate provision and work with the temporary governing body that will be established. I am not in a position to comment fully on the fine detail of the financial arrangements, but my assessment from the information I have is that the LA wishes to make proper provision for the new school and it will therefore need to ensure that finance is available for essential works and establishment costs.

### Views of Interested Parties

13. There has been extensive discussion among those with a professional interest and involvement in the provision for pupils who have a statement of SEN as the current provision within and outside the LA has been reviewed. I have seen minutes of meetings and papers that show the careful consideration that has been given to making good provision for the pupils.
14. The parents of pupils who joined the three learner centres in September 2010 were informed of the possible developments and the heads of the centres have discussed provision with all parents, seeking their views and keeping them informed of developments. There have not been public meetings, but I accept that the particular circumstances of the centres and the pupils attending them make it entirely reasonable for the staff at the centres who know the parents well to seek their views rather than through a more usual questionnaire and meeting consultation process.
15. At the stage when the statutory notice was published there were no objections to the proposal to establish the school by changing the learner centres into a single school and there were no responses to the statutory notice.
16. I am satisfied that the staff, parents and anyone who may be concerned about the provision has had the opportunity to make their views known.

### Travel

17. The travel arrangements for pupils attending the new school will be the same as those currently in place for the separate learner centres. There will be no changes to existing travel arrangements. Arrangements for other young people who will attend the new school will be made for pupils qualifying under the Council's travel policy.

### Other

18. I considered whether I should visit the learner centres and hold a meeting to hear directly any views about the proposal. However, as there do not appear to have been any adverse opinions and there were no responses, negative or positive, to the statutory notice I concluded there would be little to be gained from a meeting.

### **Conclusion**

19. I have concluded that I should approve the proposal for the reasons given above. The aim is to open a new multi-site secondary special school for boys and girls aged 11 to 18 years in the existing buildings of the three learner centres. The potential benefits of working as a single school should enable better provision to be made to meet the special needs of the pupils and help them to achieve at the best level possible of which they are capable.

## **Determination**

20. Under the powers conferred on me by Schedule 2 to the Education and Inspections Act 2006, I hereby approve the proposal to establish a new community secondary special school from 1 April 2012.

Dated: 22 July 2011

Signed:

Schools

Adjudicator: Dr Elizabeth Passmore