

**Children's Services and Education
Scrutiny Board**

**Thursday 27 September, 2018 at 5.00 pm
in Committee Room 1
at the Sandwell Council House, Oldbury**

Agenda

(Open to Public and Press)

1. Apologies for absence.
2. Members to declare:-
 - (a) any interest in matters to be discussed at the meeting;
 - (b) the existence and nature of any political Party Whip on any matter to be considered at the meeting.
3. Proposed expansion of The Westminster School, Rowley Campus, Curral Road, Rowley Regis, West Midlands (Key Decision Ref. No. SMBC03/09/2018).

Date of next meeting – 22 October, 2018

J Britton
Chief Executive

Sandwell Council House
Freeth Street
Oldbury
West Midlands

Distribution:

Councillors Underhill (Chair);
Councillors S Davies and M Y Hussain (Vice-Chairs);
Councillors Akhter, Allen, Ashman, Hevican, M Hussain, Phillips, Rollins
and Shaeen.

Co-opted Members:-

Rev P French (Church of England Diocese representative)
Vacant (Roman Catholic Archdiocese representative)
Tahira Majid (Primary School Governor representative)
Vacant (Secondary School Governor representative)

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Children's Services and Education Scrutiny Board

Apologies for Absence

The Board will receive any apologies for absence from the members of the Board.

Children's Services and Education Scrutiny Board

Declaration of Interests

Members to declare:-

- (a) any interest in matters to be discussed at the meeting;
- (b) the existence and nature of any political Party Whip on any matter to be considered at the meeting.

REPORT TO CHILDREN'S SERVICES AND EDUCATION SCRUTINY BOARD

27 September 2018

At 5.00pm in Committee room 1

Subject:	Proposed expansion of The Westminster School, Rowley Campus, Curral Road, Rowley Regis, West Midlands (Key Decision Ref. No. SMBC03/09/2018).
Cabinet Portfolio:	Councillor Simon Hackett - Cabinet Member for Children's Services
Director:	Executive Director of Children's Services – Lesley Hagger Director – Education, Skills and Employment – Chris Ward
Contribution towards Vision 2030:	
Contact Officer(s):	Melanie Barnett melanie_barnett@sandwell.gov.uk Moira Tallents moira_tallents@sandwell.gov.uk Paul Hayward, Team Manager – School Organisation and Development paul_hayward@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Children's Services and Education Scrutiny Board:

1. Consider and comment on the attached report.

1 PURPOSE OF THE REPORT

- 1.1 See attached report

2 IMPLICATIONS FOR SANDWELL'S VISION

2.1 See attached report

3 BACKGROUND AND MAIN CONSIDERATIONS

3.1 The Cabinet at its meeting on 19 September 2018 considered the attached report.

3.2 Cabinet approved the report and it was agreed that scrutiny should meet the Director of Education to consider the matter prior to the commencement of the expansion of Westminster school.

4 THE CURRENT POSITION

4.1 See attached report

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

5.1 See attached report

6 ALTERNATIVE OPTIONS

6.1 See attached report

7 STRATEGIC RESOURCE IMPLICATIONS

7.1 See attached report

8 LEGAL AND GOVERNANCE CONSIDERATIONS

8.1 See attached report

9.0 EQUALITY IMPACT ASSESSMENT

9.1 See attached report

10.0 DATA PROTECTION IMPACT ASSESSMENT

10.1 See attached report

11.0 CRIME AND DISORDER AND RISK ASSESSMENT

11.1 See attached report

12.0 SUSTAINABILITY OF PROPOSALS

12.1 See attached report

13.0 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

13.1 See attached report.

14.0 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

14.1 See attached report.

15.0 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

15.1 See attached report.

16.0 BACKGROUND PAPERS

16.1 See attached report.


17.0 APPENDICES:

17.1 Report to Cabinet - 19 September 2018

Chris Ward
Director – Education, Skills and Employment

REPORT TO CABINET

19 September 2018

Subject:	Proposed expansion of The Westminster School, Rowley Campus, Curral Road, Rowley Regis, West Midlands
Presenting Cabinet Member:	Councillor Simon Hackett - Cabinet Member for Children's Services
Director:	Executive Director of Children's Services – Lesley Hagger Director – Education, Skills and Employment – Chris Ward
Contribution towards Vision 2030:	
Key Decision:	Yes
Forward Plan (28 day notice) Reference:	SMBC03/09/2018
Cabinet Member Approval and Date:	Councillor Simon Hackett - Cabinet Member for Children's Services – 22.8.2018
Director Approval:	Director – Education, Skills and Employment – Yes 22 August 2018
Reason for Urgency:	Urgency provisions do not apply
Exempt Information Ref:	This is a public report and does not contain exempt information.
Ward Councillor (s) Consulted (if applicable):	Ward councillors were included in the consultation exercise: Councillors Eaves, Price and Tranter
Scrutiny Consultation Considered?	Scrutiny have not been consulted
Contact Officer(s):	Melanie Barnett melanie_barnett@sandwell.gov.uk Moirra Tallents moira_tallents@sandwell.gov.uk Paul Hayward, Team Manager – School Organisation and Development paul_hayward@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Cabinet:

1. Recommend that, having taken the results of consultation into account and notwithstanding any appeal from the local Church of England diocese, the Roman Catholic diocese or the school governing body, approval be given to the prescribed alterations at The Westminster School, Rowley Campus, Curral Road, Rowley Regis, B65 9AN subject to the allocation of capital funding to support the reorganisation of The Westminster School and associated move of Whiteheath Education Centre.

1 PURPOSE OF THE REPORT

- 1.1 To consider the outcome of a statutory consultation exercise following the publication of a proposal to expand the capacity of The Westminster School to 250 places. It is proposed that this is achieved by expanding into the adjoining educational building currently occupied by Whiteheath Education Centre (Alternative Provision). In order to complete this expansion, resources would be allocated to support the re-location of Whiteheath Education Centre to a comparable site (the council's preference being Sandwell Community School – South Tipton Campus). The planned expansion of The Westminster School will lead to more young people with disabilities in Sandwell being able to attend a special school catering for Moderate Learning Difficulties (MLD). This requirement was identified by an independent review carried out on behalf of the Head Teachers' Joint Executive Group (JEG) and the Local Authority. The expansion will increase the council's ability to provide places on the Supported Internship and Apprenticeships programme leading to increased employment opportunities for young people with Learning Disabilities.
- 1.2 The decision maker for this proposal is the Cabinet. Decision maker's guidance issued by the Department for Education (DfE) is attached as appendix 3 to this report.

2 IMPLICATION FOR THE COUNCIL'S AMBITION

- 2.1 Ambition 1 – Raising aspirations and resilience. Sandwell is a community where our families have high aspirations and where we pride ourselves on equality of opportunity and on our adaptability and resilience.
Ambition 3 – Young people to have skills for the future. Our workforce and young people are skilled and talented, geared up to respond to changing business needs and to win rewarding jobs in a growing economy.

Ambition 4 – Raising the quality of schools. Our children benefit from the best start in life and a high-quality education throughout their school careers with outstanding support from their teachers and families.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 As the population of Sandwell grows so does the demand for school places which also includes the demand for places in our special schools. Having undertaken an independent review (EVOLVE Review 2015-2016) of Special Educational Need (SEN) provision in Sandwell, the council and Joint Executive Headteacher Group JEG have identified the need to increase SEN provision by using the full capacities of our schools, including special schools. Consideration has been given to what additional provision is required and what can be better utilised within our existing schools.
- 3.2 In accordance with the DfE strategy “Preparing for Adulthood”, Young people in Sandwell with SEND have requested that the Supported Internships and Apprenticeships programmes, based at The Westminster School, be expanded so that more young people with special needs can access pathways to employment.
- 3.3 Therefore, it is proposed to expand the capacity of The Westminster School to 250 places to meet the increase in demand for places as the Supported Internship and Apprenticeship programme receives publicity via special schools and support services such as Connexions. It is proposed that this is achieved by expanding into the adjoining educational building currently occupied by Whiteheath Education Centre (Alternative Provision). In order to complete this expansion, resources would be allocated to support the re-location of Whiteheath Education Centre to a comparable site.
- 3.4 The planned expansion of The Westminster School will lead to more young people with disabilities in Sandwell being able to attend a special school for MLD. This requirement was identified by an independent review carried out on behalf of the JEG and the Local Authority. The expansion will increase the council’s ability to provide places on the Supported Internship and Apprenticeships programme leading to increased employment opportunities for young people with Learning Disabilities.
- 3.5 The proposed increase in capacity at The Westminster School will:
 - a) Confirm current provision for 7 to 16 year olds; and
 - b) Create space for a bespoke 16 to19 provision that will enable students to extend their studies and access Supported Internships and Supported Apprenticeships.

It's important to note that in 2016 only 48 out of every 100 disabled people were in paid work, whilst 80 out of every 100 non-disabled people were in paid work. The number of people with learning disabilities in work is even lower. The Government's target is to get a million more people with disabilities into employment by 2027. This is approximately a 29% increase on current levels. Sandwell's Supported Internship and Apprenticeship programme has been endorsed by the Government with visits from the DfE and a direct request from the DfE and HMI to expand the programme with immediate effect.

- 3.6 The proposal impacts directly on the Whiteheath Education Centre which will need to relocate to another site. The 40 to 50 young people associated with Whiteheath Education Centre have a range of psychological difficulties and leave at 16 years of age. The psychological difficulties lead to some young people finding it difficult to maintain their studies within mainstream schools. The number on site at Whiteheath can vary depending on the point of entry, re-integration and those exiting the facility throughout the year, especially in the summer term. Currently, there are approximately 24 young people attending the Whiteheath centre, 12 of these young people are on re-integration programmes and 10 are on home-tuition. Some of the 24 young people at the centre attend part-time.

The Inclusion Service in Sandwell will provide ongoing support for the young people at Whiteheath by re-assessing their needs and ensuring that any changes and developments are based on additional support and advice. The Inclusion Service will provide a direct oversight and carefully managed plan for the young people who regularly attend Whiteheath.

The council's preferred option for Whiteheath is that it relocates to Sandwell Community School – South Tipton campus site, Alexandra Road, Tipton DY4 7NR. The Authority considers that this site provides a location for the Centre that has suitable and sufficient accommodation to a similar standard to the Rowley Campus. The unit also forms part of the BSF contract arrangements, which for the Centre, provides a similar facilities management and ICT service as purchased at the Rowley Campus. To mirror the current contractual arrangements as the Rowley Campus this would provide the minimal disruption for the Centre whilst staff can focus on settling pupils in their new setting.

Through the Authority's EVOLVE programme financial support will be identified for any minor re-decoration works, re-location costs, and any BSF fees incurred as a result of the required contract variations.

Operational costs associated with the South Tipton campus are projected to be lower than Whiteheath Education Centre currently pays at Rowley

Campus. So these savings can be re-directed for the benefit of the young people on site i.e., more therapeutic support.

South Tipton campus has capacity for up to 50 young people, and a number of facilities that include:

- Science facilities (laboratory for a small group 6-8 students).
- Art facilities (art room for a small group 6-8 students).
- Food technology facilities (food technology room for a small group 6-8 students).
- Outdoor area with trees and flower beds adjacent to a nursery school.
- A small number of private counselling and consulting rooms for therapeutic work with students. The unit is spacious, quiet and modern and gives a more “mainstream” appearance than current facilities which will assist with re-integration.

Also, the move to the South Tipton campus would save Whiteheath Education Centre an estimated £27,000 on site running costs which could be spent on enhanced provision for young people and allow for expanded services. The Authority would allocate capital resources to support the re-location of Whiteheath.

4 THE CURRENT POSITION

- 4.1 The proposal to expand The Westminster School is deemed to be a prescribed alteration and has required two stages of consultation with stakeholders. This consultation has now concluded and a decision is required by the Cabinet no later than two months after the end of the representation period. If agreed, the date of implementation will be 1 January 2019.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 An initial consultation process began in January 2018 but was cancelled so that the consultation document could be further developed to provide more detail about options and implications for the proposed relocation of Whiteheath Education Centre.
- 5.2 The consultation process was restarted on 11 May 2018 and ran for five weeks until 15 June. The following stakeholders were consulted:

The Governing Body of The Westminster School, parents of children at the school, members of staff, Whiteheath Education Centre, all Sandwell schools, local ward councillors, the local authorities of Birmingham, Wolverhampton, Dudley and Walsall, Church of England and Roman Catholic diocesan authorities, members of the community including Special Educational Needs and Disabilities Information Advice and Support Service (SENDIASS), Local businesses, Autism West Midlands, Joint Union Panel.

- 5.3 The consultation elicited a positive response with a large majority supporting the proposal.

Category	Number Responding	Yes (to the proposal)	No (to the proposal)	Don't know
Parents	76	68	5	3
Staff	63	63	0	0
Student	114	110	1	3
Governors	6	4	2	0
Community member	401	397	4	0
TOTAL	660	642	12	6

- 5.4 A letter was received at this stage from the Chair of the Management Committee of Whiteheath Education Centre who was not in favour of the proposal. A copy of her letter is attached in appendix 2 to this report.
- 5.5 In accordance with prescribed regulations the council then proceeded with the proposal to the statutory stage of consultation. This involved the publication of a formal proposal (see appendix 1) and a statutory notice on 25 June 2018. The representation period lasted 4 weeks during which time any objections or observations could be made to the council. At the expiry of the representation period on 23 July 2018, 17 letters of objection were received from parents of students attending Whiteheath Education Centre. All letters shared a common concern –that the Whiteheath Education Centre in its current building had supported pupils across a number of year groups and such pupils had been reassured and supported by a building that was purpose built, quiet, open and different to a mainstream school. The preferred option of the South Tipton campus for the relocation was perceived by these parents to be darker, smaller and potentially disruptive as a result of being overlooked by a day nursery and secondary school. A template of the letter, signed by the 17 parents, is attached in appendix 3.

6 ALTERNATIVE OPTIONS

- 6.1 To not proceed. This would prevent the council from meeting the needs of an increasing number of SEN pupils, and stop the provision of more MLD places and the opportunity to provide places on the Supported Internship and Apprenticeships programme leading to increased employment opportunities for young people with Learning Disabilities.

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 The cost of the project will be met from within the EVOLVE initiative which is a strategic plan that takes the Local Authority through to the council's Vision 2030 and establishes additional places and routes to employment for young people with SEND. The DfE has allocated the council funding to improve specialist provision for young people. This funding will be sufficient to cover the project costs.
- 7.2 Subject to Cabinet approval to the report recommendation, a further report will be submitted to the October meeting of Cabinet seeking approval to allocate SEND capital grant resources to support the expansion of The Westminster School and associated move of Whiteheath Education Centre.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 Statutory consultation was carried out in accordance with guidance issued by the Department for Education entitled "School Organisation Maintained Schools – Guidance for Proposers and Decision Makers" written in accordance with School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and (Establishment and Discontinuance of Schools) Regulations 2013 that came into force on 28 January 2014.
- 8.2 The decision-maker for this proposal is the Local Authority's Cabinet who must decide on the proposal within two months of the end of the representation period or the decision defaults to the Schools Adjudicator. The representation period ended on 23 July 2018.
- 8.3 The following bodies may appeal against the LA decision within four weeks of the decision:
- the local Church of England diocese;
 - the local Roman Catholic diocese;
 - the school governing body.

On receipt of an appeal from any of the above, the local authority would need to send the proposal, comments and objections to the School Adjudicator for final determination.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 An Equality Impact Assessment initial screening has been undertaken following which a full Equality Impact Assessment has been completed.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 Any new students taken on roll as a result of this proposal will be subject to the usual data protection measures employed by the school.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 There are no crime and disorder issues relevant to this proposal.

The Corporate Risk Management Strategy (CRMS) has been complied with. The Cabinet has a statutory duty under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 to make a decision on a prescribed alteration proposal. Based on the information provided, it is the officers' opinion that there are no current "red" risks that need to be reported with regards to this proposal.

The recommendation if approved, will contribute to the mitigation of the strategic risk in 040 in respect of school place planning which is currently assessed as red.

12 SUSTAINABILITY OF PROPOSALS

- 12.1 The proposed increase in students as a result of the expansion will be sustained as pupil numbers increase across the borough.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

- 13.1 Further to new SEND legislation, the council has identified the need to increase SEN provision by using the full capacities of its existing schools. This proposal allows the council to better utilise space within an existing community special schools and increase the council's ability to provide places on the Supported Internship and Apprenticeships programme leading to increased employment opportunities for young people with Learning Disabilities. This will aid health and wellbeing for the local community.

14 **IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND**

- 14.1 The freehold interest in the site of the Rowley Campus, where both The Westminster School and Whiteheath Education Centre are located, is held by the council.

The school and centre were built as part of the Rowley Campus, a Private Finance Initiative, for which each establishment is required to pay an ongoing service fee for facilities management and ICT services.

The freehold interest in the site of the South Tipton Campus is held by Sandwell Land and Property Ltd (SLaP). If the centre is to relocate, the management committee of Whiteheath Education Centre would become responsible for the ongoing facilities management and the ICT service fee would remain the same as it is based on pupil numbers.

- 14.2 There is no planned alteration to the land holding arrangements for either the council, or SLaP as a result of the report recommendation. Consent of the PFI operator for the Rowley Campus, or SLaP as Landlord for the South Tipton Campus will be required for any significant change to the buildings to be occupied by the school and centre.

15 **CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 15.1 The planned expansion of The Westminster School responds directly to new SEND legislation and will lead to more young people with disabilities in Sandwell being able to attend a special school for MLD. This requirement was identified by an independent review carried out on behalf of the JEG and the Local Authority. The expansion will enable the council to implement the Department for Education's strategy "Preparing for Adulthood" by providing places on the Supported Internship and Apprenticeships programme leading to increased employment opportunities for young people with Learning Disabilities.

16 **BACKGROUND PAPERS**

- 16.1 None

17 **APPENDICES:**

Appendix 1 – Full statutory proposal information for prescribed alterations to The Westminster School

Appendix 2 – Letter received from the Chair of the Management Committee of Whiteheath Education Centre

Appendix 3 – Letter of objection signed by 17 parents

Appendix 4 – Statutory guidance for decision-makers



Department
for Education

Guidance for decision-makers

**Statutory guidance for decision-makers
deciding prescribed alteration and
establishment and discontinuance
proposals**

April 2016

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1: Summary

About this guidance

This is statutory guidance from the Department for Education. This means that recipients must have regard to it when carrying out duties relating to making decisions about prescribed alteration proposals and establishment (opening) and discontinuance (closure) proposals.

This guidance should be read in conjunction with; the Education and Inspections Act (EIA) 2006 as amended by the Education Act (EA) 2011; the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013; the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 and the School Organisation (Removal of Foundation, Reduction in the Number of Foundation Governors and Ability of Foundation to Pay Debts) (England) Regulations (2007).

Review date

This guidance will be reviewed in April 2017.

Who is this guidance for?

This guidance is for those making decisions about prescribed alteration proposals (LAs, the Schools Adjudicator and governing bodies), and opening and closing maintained schools (LAs, the Schools Adjudicator) and for information purposes for those affected by such proposals (dioceses, trustees, parents etc.)

It is the responsibility of LAs and governing bodies to ensure that they act in accordance with the relevant legislation when making changes to or opening or closing a maintained school and they are advised to seek independent legal advice where appropriate.

Main points

- The decision-maker will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. The decision-maker must consider the views of those affected by a proposal or who have an interest in it, including cross-LA border interests. The decision-maker should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most directly affected by a proposal – especially parents of children at the affected school(s).

- If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider **ALL** the views submitted, including all support for, objections to and comments on the proposal.
- When deciding on a proposal, decision-makers will need to consider whether the new provision is genuinely a change to an existing school or is in effect a new school which should have triggered the free school presumption.
- The 2016 White Paper [Education Excellence Everywhere](#), sets out the department's aim that by the end of 2020, all schools will be academies or in the process of becoming academies. The decision-maker should, therefore, take into account the extent to which the proposal is consistent with this policy.
- In determining proposals decision-makers must ensure that the guidance on [schools causing concern](#) (Intervening in falling, underperforming and coasting schools) has been followed where necessary.
- All decisions in relation to the opening and closing of a maintained school should be copied to the Secretary of State, within one week of the decision being made. The notification must be sent to schoolorganisation.notifications@education.gsi.gov.uk. The necessary amendments will then be made to the EduBase system.

2: Factors relevant to all types of proposals

Related proposals

Any proposal that is 'related' to another proposal must be considered together. A proposal should be regarded as 'related' if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal. Decisions for 'related' proposals should be compatible.

Where a proposal is 'related' to another proposal to be decided by the [Regional Schools Commissioner](#) (RSC) (e.g. for the [establishment of a new free school established under the presumption route](#)) the decision-maker should defer taking a decision until the RSC has taken a decision on the proposal, or where appropriate, grant a conditional approval for the proposal.

Conditional approval

Decision-makers may give conditional approval for a proposal subject to certain prescribed events¹. The decision-maker must set a date by which the condition should be met but can modify the date if the proposer confirms, before the date expires, that the condition will be met later than originally thought.

The proposer should inform the decision-maker (and the Secretary of State via schoolorganisation.notifications@education.gsi.gov.uk for school opening or closure cases) when a condition is modified or met. If a condition is not met by the date specified, the proposal should be referred back to the decision-maker for fresh consideration.

Publishing decisions

All decisions (rejected and approved – with or without modifications) must give reasons for such a decision being made. **Within one week** of making a decision the decision-maker should arrange (via the proposer as necessary) for the decision and the reasons behind it to be published on the website where the original proposal was published. The decision-maker must also arrange for the organisations below to be notified of the decision and reasons²:

- the LA (where the [Schools Adjudicator](#) or governing body is the decision-maker);
- the governing body/proposers (as appropriate);

¹ under paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations (for prescribed alterations), regulation 16 of the Establishment and Discontinuance Regulations (for closures and new schools) and paragraph 16 of Schedule 1 to the Prescribed Alterations Regulations (for foundation and trust proposals).

² In the case of proposals to change category to foundation, acquire / remove a Trust and / or acquire / remove a Foundation majority the only bodies the decision-maker must notify are the LA and the governing body (where the Schools Adjudicator is the decision-maker).

- the trustees of the school (if any);
- the local Church of England diocese;
- the local Roman Catholic diocese;
- for a special school, the parents of every registered pupil at the school;
- any other organisation that they think is appropriate; and
- the Secretary of State via schoolorganisation.notifications@education.gsi.gov.uk (in school opening and closure cases only).

Consideration of consultation and representation period

The decision-maker will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider **ALL** the views submitted, including all support for, objections to and comments on the proposal.

Education standards and diversity of provision

Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents; raise local standards and narrow attainment gaps.

A school-led system with every school an academy,

The 2016 White Paper [Education Excellence Everywhere](#), sets out the department's aim that by the end of 2020, all schools will be academies or in the process of becoming academies. The decision-maker should, therefore, take into account the extent to which the proposal is consistent with this policy.

Demand v need

Where a LA identifies the need for a new school, to meet basic need, section 6A of EIA 2006 places the LA under a duty to seek proposals to establish a free school via the '[free school presumption](#)'. However it is still possible to publish proposals for new maintained school outside of the competitive arrangements, at any time, in order to meet demand for a specific type of place e.g. places to meet demand from those of a particular faith.

In assessing the demand for new school places the decision-maker should consider the evidence presented for any projected increase in pupil population (such as planned

housing developments) and any new provision opening in the area (including free schools).

The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents' aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places.

Reducing surplus places is not a priority (unless running at very high levels). For parental choice to work effectively there may be some surplus capacity in the system as a whole. Competition from additional schools and places in the system will lead to pressure on existing schools to improve standards.

School size

Decision-makers should not make blanket assumptions that schools should be of a certain size to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration. The decision-maker should also consider the impact on the LA's budget of the need to provide additional funding to a small school to compensate for its size.

Proposed admission arrangements

In assessing demand the decision-maker should consider all expected admission applications, not only those from the area of the LA in which the school is situated.

Before approving a proposal that is likely to affect admissions to the school the decision-maker should confirm that the admission arrangements of the school are compliant with the [School Admissions Code](#). Although the decision-maker cannot modify proposed admission arrangements, the decision-maker should inform the proposer where arrangements seem unsatisfactory and the admission authority should be given the opportunity to revise them.

National Curriculum

All maintained schools must follow the [National Curriculum](#) unless they have secured an exemption for groups of pupils or the school community³.

Equal opportunity issues

The decision-maker must have regard to the Public Sector Equality Duty (PSED) of LAs/governing bodies, which requires them to have 'due regard' to the need to:

³ Under sections: 90, 91,92 and 93 of the of the Education Act 2002.

- eliminate discrimination;
- advance equality of opportunity; and
- foster good relations.

The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

Community cohesion

Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from and about each other; by encouraging, through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker must consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different sections within the community.

Travel and accessibility

Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes.

A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Further information is available in the statutory [Home to school travel and transport guidance](#) for LAs.

Funding

The decision-maker should be satisfied that any land, premises or necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees or religious authority) have given their agreement. A proposal **cannot** be approved conditionally upon funding being made available.

Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital

funds from the department, unless the department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposal should be rejected, or consideration deferred until it is clear that the capital necessary to implement the proposal will be provided.

School premises and playing fields

Under the School Premises Regulations all schools are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

[Guidelines](#) setting out suggested areas for pitches and games courts are in place although the department has been clear that these are non-statutory.

3: Factors relevant to prescribed alteration proposals:

Enlargement of premises

When deciding on a proposal for an expansion on to an additional site (a ‘satellite school’), decision-makers will need to consider whether the new provision is genuinely a change to an existing school or is in effect a new school (which would trigger the free school presumption in circumstances where there is a need for a new school in the area⁴).

Decisions will need to be taken on a case-by-case basis, but decision-makers will need to consider the following non-exhaustive list of factors which are intended to expose the extent to which the new site is integrated with the existing site, and to ensure that it will serve the same community as the existing site:

- **The reasons for the expansion**
 - What is the rationale for this approach and this particular site?
- **Admission and curriculum arrangements**
 - How will the new site be used (e.g. which age groups/pupils will it serve)?
 - What will the admission arrangements be?
 - Will there be movement of pupils between sites?
- **Governance and administration**
 - How will whole school activities be managed?
 - Will staff be employed on contracts to work on both sites? How frequently will they do so?
 - What governance, leadership and management arrangements will be put in place to oversee the new site (e.g. will the new site be governed by the same governing body and the same school leadership team)?
- **Physical characteristics of the school**
 - How will facilities across the two sites be used (e.g. sharing of the facilities and resources available at the two sites, such as playing fields)?
 - Is the new site in an area that is easily accessible to the community that the current school serves?

⁴ Or require an proposal under section 11 of the EIA 2006 for a new maintained school.

Expansion of existing grammar schools

Legislation prohibits the establishment of new grammar schools⁵. Expansion of any existing grammar school onto a satellite site can only happen if it is a genuine continuance of the same school. Decision-makers must consider the factors listed above when deciding if an expansion is a legitimate enlargement of an existing school.

Changes to boarding provision

In making a decision on a proposal to close a school that has boarding provision, or to remove boarding provision from a school that is not closing, the decision-maker should consider whether there is a state maintained boarding school within reasonable distance from the school. The decision-maker should consider whether there are satisfactory alternative boarding arrangements for those currently in the school and those who may need boarding places in the foreseeable future, including the children of service families.

Addition of post-16 provision

The department expects that only schools that are rated as 'good' or 'outstanding' will seek to add a sixth form.

In assessing a proposal to add post-16 provision, decision-makers should look for evidence that the proposal will improve, extend the range, and increase participation in high quality educational or training opportunities for post-16 pupils within the LA or local area.

The decision-maker should look for evidence on how new places will fit within the 16-19 organisation in an area and that schools have collaborated with other local providers in drawing up a proposal.

The decision-maker may turn down a proposal to add post-16 provision if there is compelling and objective evidence that the expansion would undermine the viability, given the lagged funding arrangements, of an existing high quality post-16 provider.

Decision-makers should consider the viability of a proposal bearing in mind the formulaic approach to funding; that the school will have to bear any potential diseconomies of scale; and the impact of future demographic trends.

A proposal should take account of the timeline for agreeing 16-19 funding which will be available in the most recent guidance on the department's website. Decision-makers should note that post-16 funding runs on an August – July academic year cycle.

In deciding whether new sixth-form provision would be appropriate, proposers and decision makers should also consider the following guidelines:

⁵ Except where a grammar school is replacing one of more existing grammar schools.

- the quality of pre-16 education must be good or outstanding;
- the proposed sixth-form will provide places for a minimum of 200 students;
- the proposed sixth-form will, either directly or through partnership, offer a minimum of 15 A level subjects:
- there is a clear demand for the new sixth-form (including evidence of a shortage of post-16 places and a consideration of the quality of L3 provision in the area);
- the proposed sixth-form is financially viable (there is evidence of financial resilience should student numbers fall and the proposal will not impact negatively on 11-16 education or cross subsidisation of funding).

Changes of category to voluntary-aided

For a proposal to change the category of a school to voluntary-aided, the decision-maker must be satisfied that the governing body and/or the foundation are able and willing to meet their financial responsibilities for building work. The decision-maker may wish to consider whether the governing body has access to sufficient funds to enable it to meet 10% of its capital expenditure for at least five years from the date of implementation, taking into account anticipated building projects.

Changes to special educational need provision

In planning and commissioning SEN provision or considering a proposal for change, LAs should aim for a flexible range of provision and support that can respond to the needs of individual pupils and parental preferences. This is favourable to establishing broad categories of provision according to special educational need or disability. Decision-makers should ensure that proposals:

- take account of parental preferences for particular styles of provision or education settings;
- take account of any relevant local offer for children and young people with SEN and disabilities and the views expressed on it;
- offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise) and regional and sub-regional provision; out of LA day and residential special provision;

- take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, within a learning environment where children can be healthy and stay safe;
- support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- ensure appropriate provision for 14-19 year-olds; and
- ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs must be amended and all parental rights must be ensured. Other interested partners, such as the Health Authority should be involved. Pupils should not be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need.

When considering any reorganisation of provision that the LA considers to be reserved for pupils with special educational needs, including that which might lead to children being displaced, proposers will need to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for those children. Decision-makers should make clear how they are satisfied that this SEN improvement test has been met, including how they have taken account of parental or independent representations which question the proposer's assessment.

4: Factors relevant to establishment proposals

Suitability

When considering a proposal for a new maintained school, the decision-maker should consider each proposal on its merits, and take into account all matters relevant to the proposal. Any proposals put forward by organisations which advocate violence or other illegal activity must be rejected. In order to be approved, a proposal should demonstrate that, as part of a broad and balance curriculum, they would promote the spiritual, moral, cultural, mental and physical development of pupils at the school and of society, as set out in the department's guidance on [Promoting fundamental British values through SMSC](#).

The free school presumption

Where a LA considers that there is a need for a new school in its area, to address basic need, it must first seek proposals to [establish a free school](#) under section 6A of EIA 2006. In such cases the Regional Schools Commissioner (RSC) is the decision-maker.

New schools through a competition

Where no academy/free school proposals are received (or are received but are deemed unsuitable) a statutory competition under section 7 of EIA 2006 may be held.

Where two or more proposals are complementary, and together meet the requirements for the new school, the decision-maker may approve all the proposals.

The specification for the new school is only the minimum requirement; a proposal may go beyond this. Where a proposal is not in line with the specification, the decision-maker must consider the potential impact of the difference to the specification.

Where additional provision is proposed (e.g. early years or a sixth-form) the decision-maker should first judge the merits of the main proposal against the others. If the proposal is judged to be superior, the decision-maker should consider the additional elements and whether they should be approved. If the decision-maker considers they cannot be approved, they may consider a modification to the proposal, but will need to first consult the proposers and - if the proposal includes provision for 14-19 year olds - the Education Funding Agency (EFA).

For competitions, the LA will be expected to provide premises and meet the capital costs of implementing the winning proposal, and must include a statement to this effect in the notice inviting proposals. Where the estimated premises requirements and/or capital costs of a proposal submitted in response to a competition exceed the initial cost estimate made by the LA, the decision-maker should consider the reasons for the

additional requirements and/or costs, as set out in the proposal and whether there is agreement to their provision.

New schools outside competition

Section's 10 and 11 of the EIA 2006 permits proposals to establish new schools under certain conditions either with the Secretary of States consent (section 10 cases) or without (section 11 cases).

In all cases proposals must have followed the required statutory process and may be for a school with or without a designated religious character.

Independent faith schools joining the maintained sector

The department expects that independent schools wishing to join the maintained sector will do so through the new free schools route.

However if a proposal is made, through the statutory process to establish a new voluntary school, , decision-makers must ensure that the decision to proceed with such a proposal is clearly based on value for money and that the school is able to meet the high standards expected of state-funded educational provision. The department would expect the decision-maker to consider the following points:

- that there is genuine demand/need for this type of school place in the local community;
- that the current and projected financial health of the proposer is strong;
- that the proposal represents long term value for money for the taxpayer;
- that the school will be able to deliver the whole of the national curriculum to the expected high standard;
- that all aspects of due diligence have been considered and undertaken; and
- that the school building is appropriate for the delivery of a high standard of education and in good condition throughout, or can easily be improved to meet such standards.
- In the case of a new VC school the independent school must have existed for at least two years and must close before the new maintained school opens.

If the proposal is approved a separate [application for religious designation](#) would need to be made to the department.

5: Factors relevant to discontinuance (closure) proposals

Closure proposals (under s15 EIA 2006)

The decision-maker should be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall quality of provision, the likely supply and future demand for places. The decision-maker should consider the popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for those schools.

Schools to be replaced by a more successful/popular school

Such proposals should normally be approved, subject to evidence provided.

Schools causing concern

In determining proposals decision-makers must ensure that the guidance on [schools causing concern](#) (Intervening in falling, underperforming and coasting schools) has been followed where necessary.

Rural schools and the presumption against closure

There is a [presumption against the closure of rural schools](#). This does not mean that a rural school will never close, but the case for closure should be strong and the proposal clearly in the best interests of educational provision in the area⁶. Those proposing closure should provide evidence to show that they have carefully considered the following:

- alternatives to closure including the potential for federation with another local school or conversion to academy status and joining a multi-academy trust or umbrella trust to increase the school's viability;
- the scope for an extended school to provide local community services; and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc.;
- the transport implications; and
- the overall and long term impact on local people and the community of closure of the village school and of the loss of the building as a community facility.

Not applicable where a rural infant and junior school on the same site are closing to establish a new primary school on the same site(s).

When deciding a proposal for the closure of a rural primary school the decision-maker must refer to the [Designation of Rural Primary Schools Order](#) to confirm that the school is a rural school.

For *secondary schools*, the decision-maker must decide whether a school is to be regarded as rural for the purpose of considering a proposal. In doing so the decision-maker should have regard to the department's register of schools – EduBase⁷ which includes a rural/urban indicator for each school in England. Where a school is not recorded as rural on Edubase, the decision-maker can consider evidence provided by interested parties, that a particular school should be regarded as rural.

Early years provision

In considering a proposal to close a school which currently includes early years provision, the decision-maker should consider whether the alternative provision will integrate pre-school education with childcare services and/or with other services for young children and their families; and should have particular regard to the views of the Early Years Development and Childcare Partnership.

The decision-maker should also consider whether the new, alternative/extended early year's provision will maintain or enhance the standard of educational provision for early years and flexibility of access for parents. Alternative provision could be with providers in the private, voluntary or independent sector.

Nursery schools and the presumption against closure

There is a presumption against the closure of nursery schools. This does not mean that a nursery school will never close, but the case for closure should be strong and the proposal must demonstrate that:

- plans to develop alternative provision clearly demonstrate that it will be at least as equal in terms of the quantity as the provision provided by the nursery school with no loss of expertise and specialism; and
- replacement provision is more accessible and more convenient for local parents.

Balance of denominational provision

In deciding a proposal to close a school that has been designated with a religious character, decision-makers should consider the effect that this will have on the balance of denominational provision in the area.

⁷ Any school classed as urban will have a rural/urban indicator of either 'Urban>10K – less sparse' or 'Urban>10K – sparse' – all other descriptions refer to rural schools.

The decision-maker should not normally approve the closure of a school with a religious character where the proposal would result in a reduction in the proportion of relevant denominational places in the area. However, this guidance does not apply in cases where the school concerned is severely under-subscribed, standards have been consistently low or where an infant and junior school (at least one of which has a religious character) are to be replaced by a new all-through primary school with the same religious character on the site of one or both of the predecessor schools.

Community Services

Some schools may be a focal point for family and community activity, providing extended services for a range of users, and its closure may have wider social consequences. The effect on families and the community should be considered when considering proposals about the closure of such schools. Where the school is providing access to extended services, provision should be made for the pupils and their families to access similar services through their new schools or other means.

6: Factors relevant to proposals to change category to foundation

This section includes proposals to change category to foundation, acquire/remove a Trust and acquire/remove a foundation majority governing body.

It is the department's view that governing bodies should convert to academy status rather than change category to a foundation. Governing bodies wishing to discuss this issue should email schoolorganisation.notifications@education.gsi.gov.uk and a member of the school organisation team will contact them to discuss the proposed change of category.

Standards

Decision Makers should consider the impact of changing category to foundation and acquiring or removing a Trust on educational standards at the school. Factors to consider include:

- the impact of the proposals on the quality, range and diversity of educational provision in the school;
- the impact of the proposals on the curriculum offered by the school, including, if appropriate, the development of the school's specialism;
- the experience and track record of the Trust members, including any educational experience and expertise of the proposed trustees;
- how the Trust might raise / has raised pupils' aspirations and contributes to the ethos and culture of the school;
- whether and how the proposals advance / have advanced national and local transformation strategies;
- the particular expertise and background of Trust members. For example, a school seeking to better prepare its pupils for higher education might have a higher education institution as a partner.

In assessing standards at the school, the decision-maker should take account of recent reports from Ofsted or other inspectorates and a range of performance data. Recent trends in applications for places at the school (as a measure of popularity) and the local reputation of the school may also be relevant context for a decision.

if a proposal is not considered strong enough to significantly improve standards at a school that requires it, the decision maker should consider rejecting the proposal.

Community Cohesion

Trusts have a duty⁸ to promote [community cohesion](#), and decision-maker should carefully consider the Trust's plans for partnership working with other schools, agencies or voluntary bodies.

New Trust schools Acquiring a Trust

For new Trust schools (foundation schools with a charitable foundation) the decision-maker must be satisfied that the following criteria are met for the proposal to be approved:

- the proposal is not seeking for a school to alter, acquire or lose a designated religious character. These alterations cannot be made simply by acquiring a Trust;
- the necessary work is underway to establish the Trust as a charity and as a corporate body; and
- that none of the trustees are disqualified from exercising the function of trustee, either by virtue of:
 - disqualifications under company or charity law;
 - disqualifications from working with children or young people;
 - not having obtained a criminal record check certificate⁹; or
 - the Requirements Regulations which disqualify certain persons from acting as charity trustees.

Adding or removing a Trust

Decision-makers should consider the following factors for proposals to add or remove a Trust:

- whether the Trust acts as the Trust for any other schools and / or any of the members are already part of an existing Trust;
- if the proposed Trust partners already have a relationship with the school or other schools, how those schools perform (although the absence of a track record should not in itself be grounds for regarding proposals less favourably);
- how the partners propose to identify and appoint governors. What, if any, support would the Trust/foundation give to governors?

⁸ Under section 23(A)6 of the EIA 2006

⁹ Under section 113A of the Police Act 1997

- to what extent the proposed Trust partners have knowledge of the local community and the specific needs of the school/area and to what extent the proposal addresses these; and
- the particular expertise and background of Trust members.

If a proposal is for the removal of a Trust, the governing body should consider the proposal in the context of the original proposal to acquire the Trust, and consider whether the Trust has fulfilled its expectations. Where new information has come to light regarding the suitability of Trust partners, this should be considered.

Suitability of partners

Decision-makers will need to be satisfied of the suitability of Trust partners and members. They should use their own discretion and judgement in determining on a case-by-case basis what circumstances might prevent the reputation of a Trust partner being in keeping with the charitable objectives of a Trust, or could bring the school into disrepute. However, the decision-maker should seek to come to a balanced judgement, considering the suitability and reputation of the current/potential Trust. Decision-makers should seek to assure themselves that:

- the Trust members and proposed trustees (where the trustees are specified in the proposals) are not involved in illegal activities and/or activities which could bring the school into disrepute;
- the Trust partners are not involved in activities that may be considered inappropriate for children and young people (e.g. tobacco, gambling, adult entertainment, alcohol).

The following sources may provide information on the history of potential Trust partners:

- [The Health and Safety Executive Public Register of Convictions](#)¹⁰;
- [The Charity Commission's Register of Charities](#); and
- [The Companies House web check service](#).

Removing a Trust / foundation majority

Land and Assets

When removing a Trust, the governing body is required to resolve all issues relating to land and assets before the publication of proposals, including any consideration or

¹⁰ Appearance on this database should not automatically disqualify a potential Trust member; decision-makers will wish to consider each case on its merits

compensation that may be due to any of the parties. Where the parties cannot agree, the issues may be referred to the Schools Adjudicator to determine.

The Schools Adjudicator will take account of a governing body's ability to pay when determining any compensation. Therefore, all of these issues must be resolved by the point at which the decision is made and the amount of compensation due to either party may be a factor in deciding proposals to remove a Trust.

Finance

Trusts are under no obligation to provide financial assistance to a school, but there may be instances where the Trust does provide investment. The well-being and educational opportunities of pupils at the school should be paramount, and no governing body should feel financial obligations prevent the removal of a Trust where this is in the best interests of pupils and parents.

Other services provided by the Trust

Trusts may offer a variety of services to the school, such as careers advice, work experience placements, strategic partnerships with other schools, access to higher education resources and so on. The damage to relationships and/or loss of any of these advantages should be weighed up against the improvements envisaged by a change in governance or the removal of the Trust.

Annex A: Further Information

- [The Education and Inspections Act 2006](#), as amended by the [Education Act 2011](#)
- [The School Standards and Framework Act 1998](#), as amended by the [Education Act 2002](#)
- [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#)
- [The School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007](#)
- [The School Organisation \(Requirements as to Foundations\) \(England\) Regulations 2007](#)
- [Academy/Free School Presumption – departmental advice \(2013\)](#)
- [Establishing New Maintained Schools – departmental advice for local authorities and new school proposers \(2013\)](#).
- [The Schools Admissions Code](#)
- [Education Excellence Everywhere](#)
- [White paper - Education Excellence Everywhere](#)
- [Schools Adjudicator](#)
- [Free school presumption](#)
- [School Admissions Code](#)
- [National Curriculum](#)
- [Home to school travel and transport guidance](#)
- [School land and property: protection, transfer and disposal](#)
- [Promoting fundamental British values through SMSC.](#)
- [Religious designation](#)
- [Schools causing concern](#)
- [Presumption against the closure of rural schools.](#)
- [The Health and Safety Executive Public Register of Convictions:](#)
- [The Charity Commission’s Register of Charities;](#) and
- [The Companies House web check service.](#)



Department
for Education

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Home & Hospital Tuition Service



15 June 2018

Mr Chris Ward
Director of Education
Sandwell MBC

Dear Chris,

Consultation on a proposal to increase the number of special school places for young people with Special Educational Needs and Learning Disabilities

I am writing to comment on the above process and the proposal itself. Unfortunately, given the way in which the consultation question is constructed it is not possible to give a proper response on what is being consulted upon. The consultation sheet is only a simple tick box asking if you agree with increasing the expansion to the number of places at Westminster School. In agreeing with this, which most people will due to the lack of provision for those young people, it is implicit that the relocation of Whiteheath is also supported. Clearly, these are entirely different considerations and should have been consulted upon separately.

This whole process started with the publication of the first proposal published in January 2018 which proposed an increase in the numbers of pupils attending the Westminster School by relocating Whiteheath to a "modern well maintained building within Sandwell" but did not detail why this was necessary, contain any information on where this would be, or the impact on the pupils. This document was three pages long and did not set out any options. You are aware of the Management Committee's view that this relocation was not in the best interests of the pupils and could not be supported. Staff, parents, pupils and governors commented on the proposal to this effect and to my knowledge between 80 and 100 consultation sheets were submitted to Kevin Rowland stating non-support for the proposal. You may also be aware that I went to see my local councillor, Steve Eling. The proposal was then withdrawn and we were told a further proposal would be developed following the Election.

We received the current consultation document on the 11th May, 2018. Whilst this document is considerably longer (12 pages) the preferred option is still the same, to extend the capacity at Westminster by relocating Whiteheath Education Centre to a



HOME & HOSPITAL TUITION SERVICE

Whiteheath Education Centre
Hawes Lane
Rowley Regis
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comparable site. The consultation document states in justification “young people in Sandwell have also requested that Supported Internships and Apprenticeships programmes, based at the Westminster School be expanded so that more young people with special needs can access pathways to employment”. Whilst the inclusion of the views of young people in planning decisions is to be commended, in this case it is inequitable as the young people at Whiteheath have had no such opportunity to express their views.

The consultation document in support of extending the Rowley campus states “The school’s accommodation at Rowley Campus was purpose built to suit the requirements of the school”. The document omits to mention that the accommodation for Whiteheath Centre pupils was also purpose built to meet their needs.

The document says a great deal about why option e) is the authority’s preferred option, but does not describe in any real detail why the 16-19 provision could not be developed on another site separate from the School other than it would not provide a “cohesive transition”. The other factors supporting the preferred option are not really relevant. For example, the fact that “Young People themselves are demanding the number of places is increased” is no justification for why Whiteheath Education Centre should give up its purpose built accommodation. The fact that “the Westminster School has achieved ‘Outstanding’ status from OfSTED” is not a reason why Whiteheath should relocate. The consultation document also omits to mention that Whiteheath also received ‘Outstanding’ status from OfSTED in January 2018 nor considers the impact the proposed relocation might have on it retaining this status.

The document is unequivocal in stating that “A proposed relocation site for Whiteheath Education Centre, Sandwell Community School – Tipton Campus, provides similar facilities at an equivalent standard as the centre’s accommodation at Rowley Campus”. I must vigorously dispute this point. I have visited the Tipton Campus on two occasions, most recently on Wednesday 6th June, 2018 with the Head and Parent Governor. The Tipton Campus is located on a very busy road, sandwiched between Ace Academy on the right and a Day Nursery on the left. It was originally used as a centre for pregnant teenagers; hence the co-location with the nursery. Whilst there is a separate entrance at the front, the outside space at the rear is very overgrown, but more importantly it is overlooked by Ace Academy school playing fields and the day nursery. Many children from the day nursery can be seen through the fence and heard. It is very noisy when children from the nursery are using the outside space.

Internally, the floor space is 100 square metres smaller than our current footprint but, more importantly, the overall appearance of the building is very traditional, is more closed and the common space is very dark. Whilst there is a dedicated art room, science room, kitchen area, staff room and other classrooms the internal fixtures and fittings are old. The standard of the building is not the same as the Rowley Campus as it is over 30 years old. There is no disabled shower which is critically important for us as many of our pupils have medical needs.

As you know, accommodation at the current Whiteheath Centre on the Rowley Campus is of a very high standard. It was designed and purpose-built to meet the needs of current pupils, the vast majority of whom have special educational needs and the majority having both physical and psychological health problems which mean they cannot attend mainstream school. Many of them have been out of education for some time before they

attend Whiteheath. Many have to make a slow transition back into education and the unique design of the current building is key in this, in that it is very different from a traditional school building. The design of the current Centre means that our pupils have completely separate access, located away from pupils attending St. Michael's and Westminster schools. Pupils cannot be seen from either of these two schools. They have access to quiet outside space which is not over-looked and which gives respite for pupils with anxiety issues. It has double height common rooms and fully glazed walls to give space and light. It has a lift and a shower for disabled pupils or those with severe medical needs.

I believe it is unfair to expect our pupils who have access to and use of excellent facilities because they have additional needs to give these up and accept accommodation of a lesser standard (not designed for their needs) in order that other young people with special needs can take advantage of them. The consultation document states "All mainstream schools and PRUs have recently had to manage reductions to their SEN budgets. However the budget for Whiteheath Education Centre has been protected from reductions." I am not sure how or why this is relevant, but it suggests that Whiteheath has had preferential treatment in the past and should now expect to make some compromises as that is only fair. The fact that the Tipton site would save Whiteheath £23,000 is also not relevant as the proposed site is not comparable or suitable for the kind of pupils, we provide a service for, but again perpetuates the myth that the pupils will be well catered for in the preferred option for re-location.

The document states, "The proposal for Whiteheath Education Centre to re-locate has led to the consideration of three sites". The process that was undertaken to consider these options and who was involved is not enlarged upon. I am not sure who with any insight as to our pupils' needs has been involved in this process. We have never been approached to consider options 1 or 2 in any detail. In fact we have never been asked for our pupil's needs although we developed a specification which we submitted.

The consultation document states "the only alternative option available to the authority is not to proceed with an expansion". I am not sure this can be correct. The Authority did not consider developing increased SEND post 16 provision on another site, such as the Tipton campus. Not ideal perhaps but would enable the authority to meet the needs of young people, the Department of Education and OfSTED's requests to expand the Supported Apprenticeship programme within the SEND Capital Grant.


By giving only one option e) for consideration the Authority has made it impossible to support expansion of provision for young people with special educational needs and learning disabilities in Sandwell, without displacing other young people with special needs from the accommodation that was purpose built for them.

Last time this same proposal was put forward parents, pupils and staff all made their views known using the consultation sheet process. Up to 100 were submitted. We were promised a summary of the responses but have never seen one. Having spoken with parents this time, they have little faith in submitting comments as they believe their views have not been listened to. I expect you to have very few. However, that does not mean that they support the proposal. Many parents are

disillusioned and angry about the proposals and the fact that the consultation period has been held over a very stressful period with year 11 students taking their GCSE exams. Many of our parents have housing, benefit and health problems themselves with 60% of students coming from the most deprived wards in Sandwell.

I should be grateful if you would include this response in full in any future report to Committee or Cabinet on the consultation so that my concerns regarding the overall nature of the exercise and its flawed design can be considered

Yours sincerely,

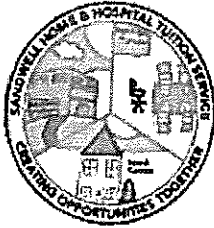


Mary Parkes

Chair

cc. Cllr. Steve Eling,

cc. Dr. Kevin Rowland



Home & Hospital Tuition Service



9 July 2018

Mr Chris Ward
Director of Education, Skills & Employment
Sandwell MBC
Oldbury Council House
Freeth Street
Oldbury
B69 3DE

Dear Mr Ward

Consultation on proposal to increase the number of special school places for young people with Special Educational Needs and Learning Disabilities – Transfer of Whiteheath

I am the parent of a child who is currently in Year 10 at Whiteheath Education Centre on the Rowley Campus. I have recently become aware that the Council propose to extend Westminster School by moving pupils from the current premises which Whiteheath occupy to a building in Tipton. I am very concerned about this proposal.

You might not be aware of the complex problems which young people at Whiteheath have, but my son/daughter had been out of education for months before they were given a place at Whiteheath. They are under the care of Child and Adolescent Mental Health Services but were too unwell to access their mainstream school. Not only have Whiteheath taught them on Home Tuition but they have been able to build a part-time timetable around them and gradually coaxed them into the Centre. The building the Centre is based at is so unlike a mainstream school that it has helped them overcome their anxieties in order to return to Education. The fact that the current building is very quiet, open and not overlooked by children from mainstream school has made it easier for my son/daughter to settle.



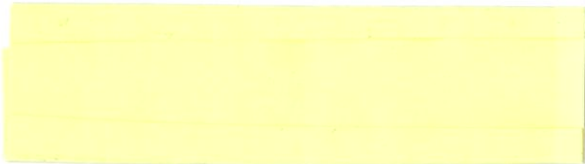
**HOME & HOSPITAL TUITION
SERVICE**

Whiteheath Education Centre
Hawes Lane
Rowley Regis
B65 9AL

Telephone: 0121-561 6887

I understand that the proposal is to move Whiteheath pupils into a building on the Tipton Campus, which is smaller, darker, does not have the same facilities and is overlooked by a Day Nursery and a mainstream school, ACE Academy. I am very concerned that much of the good work done with my child to date will be lost. Please can you reconsider your proposal.

Yours sincerely

A large rectangular area of the document is redacted with a solid yellow color, obscuring the signature and any other text that might have been present.

Parent/Carer of pupil at Whiteheath Education Centre

Full statutory proposal information for prescribed alterations to The Westminster School

In accordance with the School Organisation (Making “prescribed alterations to maintained Schools” Regulations 2016 Sandwell Metropolitan Borough Council proposes to make prescribed alterations to The Westminster School with effect from 1st January 2019.

Local Authority details:

Sandwell Metropolitan Borough Council

Sandwell Council House,

Freeth Street,

Oldbury,

West Midlands, B69 9EX

School details:

The Westminster School

Rowley Campus, Curral Road,

Rowley Regis,

West Midlands, B65 9AN.

The Westminster School is a community special school providing education for pupils deemed to have the following:

Complex Moderate Learning Difficulties, including Autism (CMLD)

Moderate Learning Difficulties with Physical and Sensory Disabilities (MLD)

The age range of the school is currently 7 to 19.

All admissions to the school are as a result of Sandwell Council determining that this is the most appropriate educational provision. Students admitted have an Education & Health Care Plan (EHCP) / Statement of Special Educational Needs (SEN) agreed by the Council which specifies Complex, Moderate Learning Difficulties, including autism.

Description of the proposed alteration

As part of its strategy to increase the number of special school places for young people with special educational needs and learning disabilities, and in support of the Supported Internship and Apprenticeship Programme, Sandwell Council is proposing to make a statutory change to The Westminster School. It is proposed to increase the capacity of the school up to 250 places.

Proposed New Pupil Profile: currently 194

Age	No. of Additional Pupils	Existing Pupil numbers	Total
7-11 years	5	25	30
11-16 years	5	121	126
Post 16	46	48	94
Total	60	194	250

Objectives

As the population of Sandwell grows so does the demand for school places which also includes the demand for places in our special schools. The planned expansion of The Westminster School will lead to more young people with disabilities in Sandwell being able to attend a special school for MLD. This requirement was identified by an independent review carried out on behalf of the Head Teachers’ Joint Executive Group and the Local Authority. The expansion will increase the council’s ability to provide places on the Supported Internship and Apprenticeships leading to increased employment opportunities for young people with Learning Disabilities.

The proposed increase in capacity at The Westminster will:

- a) confirm current provision for 7 to 16 year olds; and
- b) create space for a bespoke 16 to19 provision that will enable students to extend their studies and access Supported Internships and Supported Apprenticeships.

It’s important to note that in 2016 only 48 out of every 100 disabled people were in paid work, whilst 80 out of every 100 non-disabled people were in paid work. The number of people with learning disabilities in work is even lower. The Government’s target is to get a million more people with disabilities into employment by 2027. This is approximately a 29% increase on current levels.

Sandwell’s Supported Internship and Apprenticeship programme has been endorsed by the Government with visits from the Department for Education (DfE) and a direct request from the DfE and HMI to expand the programme with immediate effect.

Young people in Sandwell have also requested that the Supported Internships and Apprenticeships programmes, based at The Westminster School, be expanded so that more young people with special needs can access pathways to employment (see the young people's White Paper which can be downloaded from the "Changing Our Lives" website (www.changingourlives.org) and the Westminster School website). The White Paper has been presented to Sandwell Councillors.

Therefore, it is proposed to expand the capacity of The Westminster School up to 250 places to meet the increase in demand for places as the Supported Internship and Apprenticeship programme receives publicity via special schools and support services such as Connexions. It is proposed that this is achieved by expanding into the adjoining educational building currently occupied by Whiteheath Education Centre (Alternative Provision). In order to complete this expansion, resources would be allocated to support the re-location of Whiteheath Education Centre to a comparable site.

The effect on other schools in the area

The effect on the wider community of schools relates to providing additional capacity to ease the shortage of specialist places in Sandwell. It will reduce pressure from schools that are maintaining children and young people whose parents would voice a preference for specialist provision. There is a direct effect on Whiteheath Education Centre as the proposal will involve the relocation of the provision to another site.

Project costs

The cost of the project will be met from within the EVOLVE initiative which is a strategic plan that takes the Local Authority through to the Council's Vision 2030 and establishes additional places and routes to employment for young people with SEND. The DfE has allocated the Council funding to improve specialist provision for young people. This funding will be sufficient to cover the project costs.

Consultation responses

An initial consultation process took place from 11th May to 15th June 2018. The following stakeholders were consulted:

The Governing Body of The Westminster School, parents of children at the school, members of staff, Whiteheath Education Centre, all Sandwell schools, the local authorities of Birmingham, Wolverhampton, Dudley and Walsall, Church of England and Roman Catholic diocesan authorities, members of the community including

Special Educational Needs and Disabilities Information Advice and Support Service (SENDIASS), Local businesses, Autism West Midlands, Joint Union Panel.

Responses were received as follows:

Category	Number Responding	Yes (to the proposal)	No (to the proposal)	Don't know
Parents	76	68	5	3
Staff	63	63	0	0
Student	114	110	1	3
Governors	6	4	2	0
Community member	401	397	4	0
TOTAL	660	642	12	6

In addition, Sandwell Parent Voice (SPV), a statutory organisation which formally presents the views of SEND parents, has been consulted. At the latest SPV workshop and volunteer meeting, all attending agreed with the council's proposal. Sandwell SEND Partnership Board, which represents a number of organisations including health services and Adult Social Care, has also unanimously supported the proposal.

Implementation date

A decision on this proposal will be made by Sandwell's Cabinet within 2 months of the end of this representation period. If agreed, it is proposed to implement this proposal with effect from 1 January 2019

How to make representations or comments on the proposal

Within four weeks from the date of publication of this proposal (by 23 July 2018), any person may object or make a representation or comment on the proposal. This can be done by writing to Dr Kevin Rowland, Principal Educational Psychologist, Group Manager Inclusive Learning, Connor Education Centre, Connor Road, West Bromwich B71 3DJ.


Email: kevin_rowland@sandwell.gov.uk

Any personal information you provide will only be used to communicate with you on this issue and your details will be deleted at the end of the process.

Equality Impact Assessment Template

Please complete this template using the [Equality Impact Assessment Guidance document](#)

Version 3: January 2013

Title of proposal (include forward plan reference if available)	The Westminster School – proposal to increase capacity by expansion (SMBCXX tbc)
Directorate and Service Area	Education, Skills and Employment Directorate, Education Support Services
Name and title of Lead Officer completing this EIA	Paul Hayward, Team Manager – School Organisation and Development
Contact Details	paul_hayward@sandwell.gov.uk Tel: No: 0121 569 8298
Names and titles of other officers involved in completing this EIA	Sue Moore Group Head Education Support Services
Partners involved with the EIA where jointly completed	
Date EIA completed	07 August 2018
Date EIA signed off or agreed by Director or Executive Director	
Name of Director or Executive Director signing off EIA	
Date EIA considered by Cabinet Member	

See Equality Impact Assessment Guidance for key prompts that must be addressed for all questions

- 1. The purpose of the proposal or decision required (Please provide as much information as possible)**

To consider the outcome of a statutory consultation exercise following the publication of a proposal to expand the capacity of The Westminster School to 250 places. It is proposed that this is achieved by expanding into the adjoining educational building currently occupied by Whiteheath Education Centre (Alternative Provision).

The proposal in full: that, having taken the results of consultation into account and notwithstanding any appeal from the local Church of England diocese, the Roman Catholic diocese or the school governing body, approval be given to the prescribed alterations at The Westminster School, Rowley Campus, Curral Road, Rowley Regis, B65 9AN subject to the allocation of capital funding to support the reorganisation of The Westminster School and associated move of Whiteheath Education Centre.

The proposal, if agreed, will lead to more young people with disabilities in Sandwell being able to attend a special school catering for Moderate Learning Difficulties (MLD). This requirement was identified by an independent review carried out on behalf of the Head Teachers' Joint Executive Group and the Local Authority. The expansion will increase the council's ability to provide places on the Supported Internship and Apprenticeships leading to increased employment opportunities for young people with Learning Disabilities

2. Evidence used/considered

Having undertaken an independent review (EVOLVE Review 2015-2016) of Special Educational Need (SEN) provision in Sandwell, the council and the Joint Executive Headteacher Group (JEG) has identified the need to increase SEN provision by using the full capacities of our schools, including special schools. Consideration has been given to what additional provision is required and what can be better utilised within our existing schools.

In accordance with the DfE strategy "Preparing for Adulthood", Young people in Sandwell with SEND have requested that the Supported Internships and Apprenticeships programmes, based at The Westminster School, be expanded so that more young people with special needs can access pathways to employment.

3. Consultation

An initial consultation process began in January 2018 but was cancelled so that the consultation document could be further developed to provide more detail about options and implications for the proposed relocation of Whiteheath Education Centre.

The consultation process recommenced on 11th May 2018 and ran for five weeks until 15th June. The consultation, though focussing on the statutory requirement linked to the prescribed alterations at The Westminster School, included very detailed information about Whiteheath. The following stakeholders were consulted:

The Governing Body of The Westminster School, parents of children at the school, members of staff, Whiteheath Education Centre, all Sandwell schools, local ward councillors, the local authorities of Birmingham, Wolverhampton, Dudley and Walsall, Church of England and Roman Catholic diocesan authorities, members of the community including Special Educational Needs and Disabilities Information Advice and

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Support Service (SENDIASS), Local businesses, Autism West Midlands, Joint Union Panel.

The consultation elicited a positive response with a very large majority supporting the proposal (642 supported the proposal; 12 objected).

Of those supporting the proposal, comments from parents, staff, governors, students, and community members were received and these generally covered the following:

- Improved opportunities for SEN students in learning and employment opportunities;
- Excellent teachers and leadership already at the school;
- Numbers should increase in line with the growing population and Sandwell needs more provision of this standard;
- Westminster already offer wonderful opportunities to post 16 students through work experience and internships and the expansion will support more students;
- Many supportive comments from pupils referencing improved chances of getting a job;
- Reference to the outstanding OfSTED judgement at Westminster meaning the school is well placed to take forward the national agenda for improving employment chances for children with SEND;
- By expanding, more young people will have access to a purpose-built curriculum;
- This supports students, their families and the extended community.

In accordance with prescribed regulations the council then proceeded with the proposal to the statutory stage of consultation. This involved the publication of a formal proposal and a statutory notice on 25 June 2018. The representation period lasted 4 weeks during which time any objections or observations could be made to the council. At the expiry of the representation period on 23 July 2018, 17 letters of objection were received from parents of students attending Whiteheath Education Centre. All letters shared a common concern –that the Whiteheath Education Centre in its current building had supported pupils across a number of year groups and such pupils had been reassured and supported by a building that was purpose built, quiet, open and different to a mainstream school. The preferred option of the South Tipton campus for the relocation was perceived by these parents to be darker, smaller and potentially disruptive as a result of being overlooked by a day nursery and secondary school.

4. Assess likely impact

Please give an outline of the overall impact if possible.

Although there has been some objection to the proposal from the Chair of the Management Committee of Whiteheath Education Centre and parents of students attending Whiteheath, the LA believes that the alternative accommodation at the Sandwell Community School – South Tipton campus site, is a suitable alternative site with qualities that mitigates these concerns.

The Authority considers that this site provides a location for the Centre that has suitable and sufficient accommodation to a similar standard to the Rowley Campus. The unit also forms part of the BSF contract arrangements, which for the Centre, provides a

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similar facilities management and ICT service as purchased at the Rowley Campus. To mirror the current contractual arrangements as the Rowley Campus this would provide the minimal disruption for the Centre whilst staff can focus on settling pupils in their new setting.

Through the Authority's EVOLVE programme financial support will be identified for any minor re-decoration works, re-location costs, and any BSF fees incurred as a result of the required contract variations.

Operational costs associated with the South Tipton campus are projected to be lower than Whiteheath Education Centre currently pays at Rowley Campus. So these savings can be re-directed for the benefit of the young people on site i.e., more therapeutic support.

South Tipton campus has capacity for up to 50 young people, and a number of facilities that include:

- Science facilities (laboratory for a small group 6-8 students).
- Art facilities (art room for a small group 6-8 students).
- Food technology facilities (food technology room for a small group 6-8 students).
- Outdoor area with trees and flower beds adjacent to a nursery school.
- A small number of private counselling and consulting rooms for therapeutic work with students. The unit is spacious, quiet and modern and gives a more "mainstream" appearance than current facilities which will assist with re-integration.

Also, the move to the South Tipton campus would save Whiteheath Education Centre an estimated £27,000 on site running costs which could be spent on enhanced provision for young people and allow for expanded services. The Authority would allocate capital resources to support the re-location of Whiteheath.

As a result, there is likely to be no adverse impact on people or groups with protected characteristics.

Please complete the table below at 4a to identify the likely impact on specific protected characteristics

4a. Use the table to show:				
<ul style="list-style-type: none"> Where you think that the strategy, project or policy could have a negative impact on any of the equality strands (protected characteristics), that is it could disadvantage them or if there is no impact, please note the evidence and/or reasons for this. Where you think that the strategy, project or policy could have a positive impact on any of the groups or contribute to promoting equality, equal opportunities or improving relationships within equality characteristics. 				
Protected Characteristic	Positive Impact	Negative Impact	No Impact	Reason and evidence (Provide details of specific groups affected even for no impact and where negative impact has been identified what mitigating actions can we take?)
Age	✓	✓	✓	The proposed increase in capacity at The Westminster School will: a) Confirm current provision for 7 to 16 year olds; and b) Create space for a bespoke 16 to 19 provision that will enable students to extend their studies and access Supported Internships and Supported Apprenticeships
Disability	✓			The proposal, if agreed, will lead to more young people with disabilities in Sandwell being able to attend a special school catering for Moderate Learning Difficulties (MLD). The expansion will increase the council's ability to provide places on the Supported Internship and Apprenticeships leading to increased employment opportunities for young people with Learning Disabilities
Gender reassignment			✓	

Marriage and civil partnership				✓	
Pregnancy and maternity				✓	
Race				✓	
Religion or belief				✓	
Sex				✓	
Sexual orientation				✓	
Other					

Does this EIA require a full impact assessment? Yes No

If there are no adverse impacts or any issues of concern or you can adequately explain or justify them, then you do not need to go any further. You have completed the screening stage. You must, however, complete sections 7 and 9 and publish the EIA as it stands.

If you have answered yes to the above, please complete the questions below referring to the guidance document.

5. What actions can be taken to mitigate any adverse impacts?

To mitigate concerns relating to the relocation of Whiteheath to the South Tipton campus the following can be confirmed:

- The unit at Tipton was delivered as part of the Authority's Building Schools for the Future (BSF) programme. The BSF work was completed in December 2011 as Phase 3 of Sandwell's BSF programme.
- The works consisted of major refurbishment, remodelling to the former Community Block (built 1991) and Science Block (built 1997) and a minor new build extension.
- The outcome, and basis upon which the final Central Government approval was given, was to ensure all new facilities provided a 21st century modern teaching and learning environment.
- The previous user of this BSF facility, i.e. Sandwell Community School, was required to enter into a facilities management contract to maintain the standard of accommodation as delivered through the BSF programme.
- The management committee of Sandwell Community School has continued to maintain an annual facilities management contract for the Tipton site, which included lifecycle replacement to ensure the building is maintained to a high standard.
- The total floor area is 850 square metres.
- There are at least 8 spaces that are or could be used for teaching, in addition – a dining room and a large open plan learning area.

Apart from the physical building we will also consider the needs of the young people attending. In short, we need to deliver a suitable therapeutic environment which meets the needs of young people with psychological difficulties affecting their ability to attend school.

In order to deliver this, the therapeutic environment needs to be relatively quiet and have specialist learning spaces (e.g. science, art, cookery, music). All of these requirements are included at the new site. Given that the building was originally designed to meet the needs of school age young mothers there are a number of rooms that can easily revert back to providing a therapeutic space for individual and group counselling / self-esteem work etc.

The site includes a garden area that would provide a perfect location for the young people to engage in looking after this area (as part of therapeutic recovery) and/or to relax and take time out of the building in order to support their psychological needs. The garden backs onto a small nursery play area. For some young people, going on to study childcare, the nursery provides a totally non-threatening point of access to work experience.

The entrance is quickly accessed via the main car park and the youngsters will be able to quickly transfer from their transport to inside the building. The entrance to the secondary school, Q3 Academy Tipton, is completely separate and the site is separated

by a fence. Access to the unit does not pose any threat and the transfer from transport or on foot, is safe and allows a calm entry to the building.

Overall, from a psychological perspective, the layout of the building supports the wellbeing of young people. The secondary school provides opportunities for the young people to begin the process of reintegration and experience aspects of mainstream school life.

6. As a result of the EIA what decision or actions are being proposed in relation to the original proposals?

To help with the transition between sites, and subject to a further Cabinet report in October, we will set aside a sum of capital funding to undertake minor refurbishment to adapt the unit to meet the needs of Whiteheath. The new head teacher of Whiteheath has already met with the Director of Education and is keen to get the best possible environment for the children. Should the Cabinet report to expand The Westminster School be approved, the school organisation team will be working with the head teacher and the management committee in the Autumn Term to ensure the building is a pleasant working environment for staff and pupils alike prior to any proposed move.

7. Monitoring arrangements

- 1) Pupil support – the LA’s Educational Psychologist’s will provide pupil support to manage their transition to their new educational settings. Post implementation of the expansion proposals, the Head Teacher / Head of Centre will be able to continue to assess pupil behaviour and engage the LA’s Inclusion Support Services for any additional assistance required.
- 2) Capital works – the School Organisation and Development team will work with the Building Schools for the Future team to manage the capital works programme with The Westminster School and Whiteheath Education Centre.
- 3) Capital monitoring – subject to Cabinet approval to the proposed expansion of The Westminster School, and any future allocation of SEND capital grant funding to support the expansion, capital expenditure will be monitored through the Schools Capital Programme, and reported to the Cabinet Member for Strategic Resources on a quarterly basis.

8. Action planning

See below

Action Plan Template

Question no. (ref)	Action required	Lead officer/ person responsible	Target date	Progress
7	Pupil support to manage transition to the new educational settings. Post implementation of the expansion proposals, pupil progress / behaviour to be assessed - LA's Inclusion Support Services to be engaged for any additional assistance required.	Educational Psychologist / Head Teacher and Head of Centre	January 2019	
6	The council's school organisation team to work with the head teacher and the management committee of Whiteheath to ensure the building is a pleasant working environment for staff and pupils alike.	School Organisation Team and Head Teacher	Autumn Term 2018	

9. Publish the EIA

Where can I get additional information, advice and guidance?

In the first instance, please consult the accompanying guide “Equality Impact Assessment Guidance”

Practical advice, guidance and support

Help and advice on undertaking an EIA, using the electronic EIA toolkit or receiving training related to equalities legislation and EIAs is available to **all managers** across the council from officers within Improvement and Efficiency. The officers within in Improvement and Efficiency will also provide overview quality assurance checks on completed EIA documents.

Please contact:

Kashmir Singh - 0121 569 3828

