

Report of the Cabinet Member for Children, Families and Education Services**1. INTRODUCTION AND PURPOSE OF REPORT**

- 1.1 The borough does not currently have enough places for secondary aged students with Special Educational Needs and Disabilities (SEND). The government has made the offer for Local Authorities to bid for SEND Free Schools. Stockport, alongside of 66 other authorities, took up this invitation to bid. The first part of the process is the competition stage where an academy or multi-academy trust (MAT) is sought to become the sponsor of the new free school. This report provides Corporate Leadership Team (CLT) with detail of the progress to date and the outcome of the MAT selection process for approval

2. BACKGROUND

- 2.1 The Local Authority has agreed to rebuild Lisburne Special Education Needs & Disabilities (SEND) Primary school to a much higher capacity in order to provide for these children. Currently Lisburne SEND Primary has around 104 pupils spread across multiple sites as the base school can only accommodate 66 pupils. The new build will reflect the projected numbers of around 200 aged 4 to 10-year olds in the future.
- 2.2 A Free School is the same as an Academy. It is a school that is independent of the Local Authority and is run by a Multi-Academy Trust (MAT) who act as the school's "sponsor" and supervising body. In this instance the Local Authority would be commissioning the majority or perhaps all of the places at the school and as such the Local Authority would be a major stakeholder.
- 2.3 The final decision to open the free school depends on the Secretary of State formally entering into a funding agreement with the academy trust proposing to set up the school. The Secretary of State will do so only if he is satisfied that a suitable trust has been established as the MAT to take the project forward and:
- 2.3.1 That we have found a suitable site on which we can construct and open a school on an agreed date and in a way that provides good value for money
- 2.3.2 That the school will be ready to deliver at least a good standard of education, with a viable and sustainable number of pupils, from its first day of operation.
- 2.4 In relation to the first point above, the Council identified the closed Orrishmere Primary School as the possible site for the new build. As such there is an expectation that the Council will offer up the cleared site for a standard 125-year academy lease. The cost of demolishing the old primary school – including the old 'mobile' temporary classroom which is currently occupied by Elm Cottage Nursery - will also fall to the Council.
- 2.5 When Orrishmere was closed the private nursery Elm Cottage was allowed to continue in the old temporary classroom 'mobile' on the site. The Council Estates

arm will now move to remove the lease on the Elm Cottage nursery building so that the maximum flexibility can be offered to DfE when they reach the stage of designing the new building and to protect the Local Authority's legal interest.

Elm Cottage has enjoyed an additional five years use of the premises on the Orrishmere site post the school's closure. However, the owner was always aware that it was likely that the site would be used for a further purpose, and Education Officers have stayed in touch over this time.

The notice over the ending of the formal lease that was not renewed in 2014 will cite six months but the Council will be open to facilitating the private nursery continuing until demolition is required. This may be as late as spring 2021. In addition, the Council's property arm will look to assist the private provider in the search for alternative premises as the value of the service to the local community is appreciated and recognised.

3. PROGRESS TO DATE

- 3.1 The Director of Children's Services wrote to Department for Education (DfE) accepting the conditions of the approval notice received as per the terms of the offer.
- 3.2 A notice was published on the Authority's web site detailing a competition for MATs and other groups to propose themselves as sponsors of the new Free School. An engagement event was held to give further details to interested parties in July 2019.
- 3.3 The deadline for written submissions was 30/09/19.
- 3.4 4 submissions were received from prospective Sponsor MATs by the deadline.
- 3.5 The applications and accompanying documentation were assessed against the criteria set by the DfE during the month of October, with a collaborative moderation meeting being held with the DfE on 7/11/19. This moderation exercise resulted in 3 of the 4 MATs being invited for interview.
- 3.6 The interview process took place at the DfE offices in Manchester across 2 days, finishing on 21/1/20.
- 3.7 Following contact with the DfE during February of 2020 it transpires that one MAT had applied to run schools in multiple areas. The DfE have deemed that the MAT does not have the resources to open 2 schools simultaneously.
- 3.8 The DfE have therefore decided, in the absence of a viable alternative in the other area, to appoint an established successful MAT who have the sole focus of delivering what will be an excellent school for Stockport. The formal announcement by the DfE has been delayed due to the coronavirus crisis.

4. FINANCIAL IMPLICATIONS

The Department for Education will pay for cost of the new school which is approximately £17m. This will save the Council £30k per pupil per annum, so

£150k per secondary pupil from Year 7 to Year 11. This is a significant saving compared to out of Borough provision.

5. RECOMMENDATION

CLT is requested to consider and comment on the information provided and approve the DfE Sponsor MAT recommendation for submission to Cabinet.

Anyone wishing to inspect the above background papers or requiring further information should contact: Steve Nyakatawa on 0161 474 3832 or by email on Stephen.Nyakatawa@stockport.gov.uk

Equality Impact Assessment

Special Secondary School	Date: October 2019
	Stage:

Stage 1: Do you need to complete an Equality Impact Assessment (EIA)?

In early 2019 Stockport Council submitted an Expression of Interest (EOI) to the Department for Education (DfE) under the national scheme to support the establishment of new special schools and Pupil Referral units (PRUs). All builds would be free schools, built by the DfE and run by a Multi-Academy Trust (MAT).

In March 2019 the DfE announced that all bids that met the criteria (39 nationally) would be approved and Stockport received notification of approval on 11th March 2019.

The DfE has requested the completion of Equality Impact assessments (EIAs) from each successful authority to fully consider the potential impact that any proposed provision may have on the children and young people with protected characteristics and the educational provision that they may attend.

The full EIA will be completed for key aspects of this project as it develops. This will demonstrate the impact of service users and staff against all protected characteristics. It is anticipated that the review may impact **positively** on the following Protected Characteristics:

- Disability; (in relation to students accessing this and other schools)
- Age; (in relation to students accessing this and other schools)

Stage 2: What do you know?

Population demographics

- The 2014-15 Joint Strategic Needs Assessment data identified that the resident population of Stockport is **285,032** (2013), with 53,937 (18.9%) young people aged 0-15 and 28,018 (9.8%) young adults aged 16-24 years. By 2023 the population of Stockport is projected to be **298,659** (2013), up 13,627 (4.8%) with 58,056 (19.4%) young people aged 0-15, up 4,119 (7.6%) and 25,045 (8.4%) young adults aged 16-24, down 2,973 (-10.6%)

- There are currently 7,714 children and young people aged 0 to 25 years who have identified Special educational Needs and Disabilities (SEND) in Stockport. Of the population with SEND 71.1% have their needs met at SEN support and 28.9% have an Education, Health and Care (EHC) plan. The percentage of the population aged 0-25 years with an EHC plan in Stockport is higher than the national (3.1%) and NW averages at 4%.
- The prevalence of SEND in the school-age population has been relatively stable in recent years. Rates in the 2-4 years and 16-25 years ranges have increased, following the Children and Families Act 2014 and the SEND Code of Practice 2014 (COP) which extended the legislation in regard to SEND from birth to 25 years of age.
- The overall complexity of the SEND cohort is increasing. This is demonstrated by a disproportionate rise in the number of SEND children and young people presenting with mental health problems, behavioural and communication problems and requiring social care support. The most common reason for an EHC plan is a speech, language and communication need. Since 2015, the greatest increase in size of any category of primary need is for the cohort with autistic spectrum disorders (ASD).
- Boys are more than three times more likely than girls to have an EHC plan, while girls are 50% more likely to receive SEN support.
- The proportion of children and young people with SEND is highest in the more deprived areas of Stockport. Although this is not a protected characteristic defined by the Equality Act 2010, Section 1 of the Act, requires public bodies to adopt effective and transparent policies to reduce the inequalities that result from socio-economic disadvantage.
- The population of children and young people is growing at a faster rate than the general population. In Stockport around 55% of children and young people with an EHC plan are educated in special schools/ resourced provision or PRUs and about 45% in mainstream schools. Compared to the national average, Stockport has a greater proportion of children and young people with EHC plans in mainstream schools and lower numbers in specialist provision.
- Based on current understanding of SEND prevalence, it is forecast that there could be up to a 40% increase in the school-age SEND population with EHC plans over the next 10 years.
- Each of the six special schools in Stockport have expanded over the last five years. In addition, one PRU and all of the additionally resourced provisions have either expanded or are now over number. Over recent years additional special school places have increased by 31% at a cost of an additional £5M.
- In particular, Lisburne Primary Special School, for pupils with Severe and Complex special educational needs (SLD/Complex) and Autism (ASD) has grown from 49 to 107 pupils over recent years. These pupils are supported

across three sites whilst the existing school is re-located and expanded by the Council through an 'invest to save' strategy to address the immediate growth in the primary sector. **The new school will support accommodation for these pupils moving into secondary education locally.**

- There are currently increasing numbers pupils attending schools that are out of borough special provision or non-maintained, independent special schools. These predominantly have primary needs of Social, Emotional, Mental Health (SEMH), ASD, SLD/Complex or Profound Multiple Learning Difficulties (PMLD). Pupils attend external provision primarily as there is insufficient local provision to meet their needs. **The development of the new school will ensure sufficient local provision and mitigate against placement cost in non-maintained or out of borough special schools. This will also support cash limit spend through the reduction in associated transport costs to provision at distance.**
- The EOI detailed the development of a secondary special school for students with SLD/Complex SEN or ASD age 11-19 years. The provision will expand over six years to a total of 133 students. **The new school will mitigate against population growth in the secondary special phase, will allow Heaton School to reduce overall numbers back to its current PAN and support Castle Hill school to release several school places for pupils with more similar needs as the rest of their cohort.**
- The school will be built by the DfE and would be a free school, with the Multi-Academy Trust (MAT) identified to run the school through a competitive bidding process (Oct/Nov 2019) with the final decision lying with the Secretary of State (Spring 2020). The decision to open any free school depends on the Secretary of State formally entering into a funding agreement with the academy trust proposing to set up the school. The Secretary of State will do so only if satisfied that a suitable trust has been established as the MAT to take the project forward and that:
 - (a) a suitable site has been provided where a school can be constructed and opened on an agreed date and in a way that provides good value for money;
 - (b) the school will be ready to deliver at least a good standard of education, with a viable and sustainable number of pupils, from its first day of operation.
- On 15th March the LA formally launched on Stockport Council's website a competition for MATs and other groups to propose themselves as sponsors for the new school.

Service User Profile

- All students of the proposed school will have protected characteristics as all will have a disability under the definition in the Equality act 2010 that defines disability as 'a physical or mental impairment that has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities'. All students will also have special educational needs recognised through an EHC plan as all will have required special educational provision

to have been made for them so as to meet their needs.

Impact of change

- Protected characteristics and impact of the development of the proposed secondary special school:
 - a. Sex/gender: positive
The development of local special provision would have a positive impact on boys, who are significantly more likely to have an EHC plan and attend a special school.
 - b. Ethnicity/race: neutral
 - c. Religion/faith: neutral
 - d. Sexual orientation: neutral
 - e. Gender reassignment: neutral
 - f. Marriage/civil partnership: neutral
 - g. Socio-economic status: positive
The development of local specialist provision would have a positive impact of pupils who come from areas of socio-economic disadvantage

who are significantly more likely to have identified SEND.

- h. Disability: positive
The development of this school within Stockport would ensure that pupils with complex needs would attend good or outstanding local provision delivered through a MAT with a proven track record of meeting the needs of students with complex needs. The students would attend a purpose-built special school designed and equipped for their specific needs. The school would be within Stockport reducing the length of time and distance travelled to and from school.
 - i. Age: positive
The development of this school would ensure that there would be sufficient local secondary special provision so that students with ASD and complex needs did not need to attend non-maintained, independent or out of borough placements when their needs have been met within maintained Stockport special schools through their primary age. This means that they will be more likely to maintain friendships and community links into their teenage years and into young adulthood. For those post-16 who will be supported into supported internships then work experience is more likely to be converted into long-term local employment.
- Impact on local maintained and independent provision:
 - a. Heaton school- as this school has expanded to accommodate additional pupils over recent years the reduction back to the previous size will provide more space for the existing population. This has been agreed with the Headteacher and will be phased to ensure there is no disruption to the education of individual students.
 - b. Castle Hill school- this is a rapidly expanding school which has now reached capacity in the new building. It has been agreed with the Headteacher that any new intake with a profile more in line with the new provision will attend the new school but that there will be no disruption to the education of the current students in the school.
 - c. Independent and non-maintained provision within the Stockport footprint- it is likely that there will be an impact on the numbers of students that Stockport places at independent and non-maintained special schools within the Stockport provision. This is most likely to

impact on those provisions which cater for pupils with ASD, such as Together Trust. The placement costs of these provisions are significantly higher than those for the proposed free school but placement will continue to be decided on need and in agreement with parents.

- d. Out of borough special provision- There will be an impact on the numbers of students that Stockport places in out-of-borough special schools. The cost of these provisions is considerably higher than those for the free school and in addition there are usually significant transport costs. Appropriate placement will continue to be decided on need and in agreement with parents.

Stage 2a: Further data and consultation

- As part of the sponsor application process MATs are required to evidence how they have taken into account the views of a range of stakeholders. Applicants have engaged in consultation with local special school Head Teachers and parents of pupils at local special schools. They have used this information to inform their bid documentation and to describe their 'offer' to meet the needs of the identified cohort.
- Stockport hosted an engagement event for MATs and other parties interested in becoming the sponsor organisation for the new Free School on 12th June 2019. Information packs were provided and prospective partners received detail from key leaders within the Council. This was well-attended.
- The information in this EIA is the first stage of the evaluation. Further information about the potential impact on the proposals on services users and stakeholders will be gathered at various points throughout the project including public consultation.....

Stage 3: Results and Measures

To be completed at

Stage 4: Decision Stage

To be completed at



STOCKPORT
METROPOLITAN BOROUGH COUNCIL

A New Secondary Special Free School for Stockport

Stakeholder event

Committee Room 2, Town Hall, Stockport, SK1 3XE
Wednesday 12th June 2019, 10.30am

Registration & Refreshments from 10.15am

Agenda

1. Welcome and Introductions
2. Stockport's Context
3. Stockport's Vision & Priorities
4. Proposed Model for New School
5. Funding & Offer
6. Proposed School Location & Site
7. New Schools Network
8. Next Steps
9. Questions & Answers