

CITY OF WOLVERHAMPTON COUNCIL	Cabinet 21 November 2018
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Report title	Prescribed Alterations to Specialist Educational Provision		
Decision designation	AMBER		
Cabinet member with lead responsibility	Councillor Lynne Moran Education and Skills		
Key decision	Yes		
In forward plan	Yes		
Wards affected	All Wards		
Accountable Director	Meredith Teasdale, Director of Education		
Originating service	Special Educational Needs Service		
Accountable employee	Adrian Leach	Head of SEND	
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Report to be/has been considered by	Strategic Executive Board	6 November 2018	

Recommendations for decision:

The Cabinet is recommended to:

1. Formally consider, in accordance with statutory guidance, the outcomes of Pre-publication Consultation and Representation in relation to the proposed prescribed alterations to Penn Hall School, Tettenhall Wood School and Warstones Primary School.
2. Approve the proposed prescribed alterations to Penn Hall School.
3. Approve the proposed prescribed alterations to Tettenhall Wood School.
4. Approve the proposed prescribed alteration to Warstones Primary School.

Recommendations for noting:

The Cabinet is recommended to:

1. Note that the two prescribed alterations to Penn Hall School are classified as related proposals which are interdependent and cannot be considered in isolation of one another.

2. Note that the two prescribed alterations to Tettenhall Wood School are classified as related proposals which are interdependent and cannot be considered in isolation of one another.
3. Note that the capital costs included in this report have been incorporated into the 'Capital programme 2018-2019 to 2022-2023 quarter two review' report which is also on this agenda and will subsequently be reported to Full Council for approval on 5 December 2018, assuming that Cabinet approval to progress with the project is given. As the progression is dependent on that decision, if the project is not approved, the capital programme will be reduced accordingly.

1.0 Purpose

- 1.1 This report details the outcomes of Pre-publication Consultation and Representation on the proposed prescribed alterations to specialist educational provision at Penn Hall School, Tettenhall Wood School and Warstones Primary School.
- 1.2 The paper seeks approval to permanently implement the proposed prescribed alterations.

2.0 Background

- 2.1 Local authorities must ensure that there are sufficient good school places for all pupils, including those with Special Educational Needs and Disabilities (SEND).
- 2.2 The Children and Families Act 2014 requires local authorities to keep provision for children and young people with SEND under review (including its sufficiency).
- 2.3 Central Government has committed £265 million of capital funding (Special Provision Capital Fund) to help local authorities create new school places and improve existing facilities for children and young people with SEND.
- 2.4 Wolverhampton was initially allocated £1.2 million (across the period 2018-2019 to 2020-2021); however, in May 2018 a further top up allocation was announced. Wolverhampton has now been allocated a total of £1.4 million (across the period 2018-2019 to 2020-2021).
 - 2.5 On 27 February 2018, Cabinet (Resources) Panel:
 - Endorsed the acceptance of a grant of £1,158,571 over three years from the Department of Education in relation to the Special Provision Capital Fund.
 - Endorsed the development of the planned investment of the Special Provision Capital Fund, in line with the guiding principles set out in the report.
 - Delegated authority to the Cabinet Member for Education, in consultation with the Director of Education, for decisions relating to the future investment of the Special Provision Capital Fund.
 - 2.6 On 6 March 2018, the Cabinet Member for Education, in consultation with the Director of Education;
 - Endorsed the investment priorities for the Special Provision Capital Fund.
 - Approved the publication of, and subsequent consultation upon, the proposed use of the Special Provision Capital Fund.
 - 2.7 On 17 July 2018, the Cabinet Member for Education and Skills, in consultation with the Director of Education;
 - Considered all outcomes of Pre-publication Consultation regarding the proposed prescribed alterations to Penn Hall School, Tettenhall Wood School and Warstones Primary School.

- Approved progression to a period of Representation regarding the proposed prescribed alterations to Penn Hall School, Tettenhall Wood School and Warstones Primary School.
- 2.8 On 12 September 2018, Cabinet approved the 'Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning' which outlines the Council's strategic policy in relation to the planning and organisation of school provision across the City. The strategy recommends that the development of provision for students with SEND is guided by the following principles:
- "Local solutions are developed to support a reduction in the required number of out of City placements.
 - The number of transitions experienced by children with SEND should be minimised wherever possible.
 - Solutions should be developed to offer opportunities for students with SEND to attend mainstream provision, unless doing so would be incompatible with the provision of efficient education for other children." (City of Wolverhampton Council, September 2018).

3.0 Statutory Consultation and Decision Making Process

- 3.1 Figure 1 below summarises the proposed prescribed alterations to Penn Hall School, Tettenhall Wood School and Warstones Primary School.

Figure 1: Proposed Alterations

School	Ward	Ofsted Judgement	Proposed Change(s)	Existing Registration	Proposed Registration (with effect from 1 September 2019)
Penn Hall School	Penn	Outstanding	<ul style="list-style-type: none">• Expansion by 24 places.• Change in type of need catered for.	<ul style="list-style-type: none">• Age Range: 3 -19• Capacity: 76• Type of need catered for: Physical Disability.	<ul style="list-style-type: none">• Age Range: 3 -19• Capacity: 100• Type of needs catered for: Physical Disability, Severe Learning Difficulty, Profound and Multiple Learning Difficulty, Autistic Spectrum Disorder.
Tettenhall Wood School	Tettenhall Regis	Good	<ul style="list-style-type: none">• Expansion by 18 places.• Change in Age Range.	<ul style="list-style-type: none">• Age Range: 5 -19• Capacity: 102• Type of need catered for: Autistic Spectrum Disorder.	<ul style="list-style-type: none">• Age Range: 4 -19• Capacity: 120• Type of need catered for: Autistic Spectrum Disorder.

Warstones Primary School	Penn	Good	<ul style="list-style-type: none">• Establishment of SEN provision.• Mainstream provision.• Mainstream provision with a resource base for pupils with Hearing Impairments.
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- 3.2 The change proposals qualify as prescribed alterations which require the undertaking of statutory consultation and decision making processes in accordance with 'The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013' and 'The Education and Inspections Act 2006 – as amended by The Education Act 2011.
- 3.3 Figure 2 below summarises the consultation and decision making process:

Figure 2: Consultation and Decision Making Process

Date	Process
14 May 2018 to 17 June 2018	Pre-publication Consultation
17 July 2018	The Cabinet Member for Education and Skills, in consultation with the Director of Education; considered all outcomes of Pre-publication Consultation and approved progression to a period of Representation.
10 September 2018 to 7 October 2018	Representation Period.
21 November 2018	Cabinet consider all outcomes of consultation and make a final decision on the proposals.
27 November 2018 to 24 December 2018	Appeals Period.
1 September 2019	Subject to approval, proposals are formally implemented.

- 3.4 As detailed within the DfE's statutory guidance, the Council is the decision-making body regarding proposals to make prescribed alterations to establish and/or alter SEN provision at maintained schools.
- 3.5 Decisions must be made within two months of the end of the Representation Period or they must be referred to the Schools Adjudicator.
- 3.6 There are a number of factors that Cabinet are required to have regard to when making decisions on the proposals. DfE Statutory guidance for decision makers can be found at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/514570/16-04-06_FINAL_SO_Guidance_DM.pdf
- 3.7 Decision makers must consider all views submitted during consultation.

3.8 When issuing a decision, the Cabinet can:

- Reject the proposal
- Approve the proposal without modification
- Approve the proposal with modification
- Approve the proposal - with or without modification - subject to certain conditions being met.

3.9 The following bodies may appeal the decision:

- The local Church of England diocese
- The local Roman Catholic diocese.

Should an appeal be lodged, the Council must then send the proposal, representations received and the reasons for their decisions to the Schools Adjudicator.

4.0 Penn Hall School

4.1 Proposal:

4.2 Penn Hall School is currently designated as a community special school with a capacity of 76 which caters for students with physical difficulties aged 3-19.

4.3 It is proposed that with effect from 1 September 2019:

- The capacity of Penn Hall School is increased from 76 places to 100 places.
- The type of needs that Penn Hall School is registered to cater for are extended from Physical Disability to Physical Disability, Severe Learning Difficulty, Profound and Multiple Learning Difficulty and Autistic Spectrum Disorder.

4.4 By providing for a larger, more diverse school population Penn Hall School would better support the changing needs of the City's population, enable a wider range of pupils to benefit from the education and support provided by Penn Hall School, and reduce the potential need for expensive out of City placements.

4.5 Further information regarding the proposed changes to Penn Hall School is available within the Complete Proposal and accompanying SEN Improvement Test (Appendix 1).

4.6 Outcome of Pre-publication Consultation:

4.7 Pre-publication Consultation ran from 14 May 2018 to 17 June 2018. During the Pre-publication Consultation period, more than 400 letters and consultation documents were distributed to stakeholders. Stakeholders included the Governing Board of Penn Hall School, members of staff at Penn Hall School, parents/carers of pupils attending Penn Hall School and all schools in Wolverhampton. A complete list of stakeholders who were consulted can be found at Appendix 2.

4.8 During the Pre-publication Consultation period, 47 written responses were received by the City of Wolverhampton Council (as summarised in Figure 3). These were completed by a range of stakeholders including members of staff at Penn Hall School,

parents/carers of pupils attending Penn Hall School and members of Penn Hall School's Governing Board.

Figure 3: Written Responses Consultation Summary

Consultation Question	Number of Responses Received	Yes	No	Don't Know	Abstained
a. Do you agree with the proposal to extend the type of needs that Penn Hall is registered to cater for?	47	37 (79%)	7 (15%)	1 (2%)	2 (4%)
b. Do you agree with the proposal to increase the capacity of Penn Hall School?	47	34 (72%)	8 (17%)	3 (6%)	2 (4%)

Copies of all consultation responses can be found at Appendix 3 and must be given due consideration.

- 4.9 A number of supportive comments regarding the proposals were received during Pre-publication Consultation including:
- "We need to move with the growing population needs. To make the proposed changes needs to be done to cater for children, giving them the best care and attention we can" (P24 - Member of Staff at Penn Hall School)
 - "Looking forward to the new challenges within the school" (P27 – Member of Staff at Penn Hall School)
 - "I see that the school needs to reflect the needs of children citywide. Our school can provide its existing expertise to provide care across a wider designation of pupil needs." (P37 – Member of staff at Penn Hall School)
 - "There are strong foundations to support change in this outstanding school. With a strong working relationship between the school and the local authority, backed by appropriate funding these proposed changes will allow Penn Hall to provide an excellent learning environment for children and young people." (P39 – Member of staff at Penn Hall School)
 - "Penn Hall is a wonderful school and I think it is wonderful if it can provide for more children, every child deserves the best care and education." (P47 – Parent/Carer of a pupil at Penn Hall School).
- 4.10 A number of concerns and considerations regarding the proposals were also identified during Pre-publication Consultation including:
- "I have concerns that the extra security needed to cater for the additional AS pupils will effect our wheelchair users. Their independence may be reduced as doors will

need extra handles/locks and may restrict the movement around the school and grounds.” (P28 - Member of staff at Penn Hall School)

- “Think that extending the types of needs catered for will fundamentally change the calm atmosphere and culture of the school and potentially increase risk levels for children who are already vulnerable due to their physical needs.” (P29 - Parent/Carer of a pupil at Penn Hall School)
- “It is wrong to create more capacity for children with learning difficulty, because of need, but not have the high standard of teaching already in place. Penn Hall School may acquire the skills in due time for this new student group but, till then, such students should not go to this school.” (P33 - Governor Broadmeadow Special School)
- “Expansion is exciting but needs appropriate funding/building to meet the needs of the growing population.” (P34 – Member of staff at Penn Hall School)
- “Why fix something that is not broken. It is a special school in its particular field which is children with physical disabilities, hence its reputation and track record is based on this field so adding children with multiple learning difficulties will not be beneficial to the school and existing pupils, or teachers. Instead maybe a additional centre or school be opened to cater for there needs.” (P35 - Parent/Carer of a pupil at Penn Hall School).

4.11 Representatives from the Education Department met with members of Penn Hall School’s Governing Board on 14 May 2018. A summary of this meeting is available at Appendix 4.

4.12 Representatives from the Education Department met with members of Penn Hall School’s School Council on 20 June 2018. A summary of this meeting is available at Appendix 5. Please note that whilst this meeting took place outside of the designated consultation period it is felt prudent for the students’ opinions to be considered.

4.13 Outcome of Representation:

4.14 The Representation Period commenced on 10 September 2018 and concluded on 7 October 2018. At the start of the consultation period, a Statutory Notice (Appendix 6) was published in the Express and Star Newspaper and consultation documentation was published on the Council’s website and distributed to relevant stakeholders. Appendix 7 provides a complete list of stakeholders who were consulted during Representation.

4.15 The City of Wolverhampton Council received two responses during Representation:

- “My son has many disability and phobia he getting better care and support from penn hall school every children who has multiple disabilities and need any support penn hall could make their future and they can make better life and future”
- “I do not object to the expansion; I have a reservation regarding increased employee numbers and possible associated parking problems. At present employees use the school’s car parking areas. At times those are full and vehicles are parked in The Avenue and in two areas adjacent to the school - near the closed iron gates and wooden doors on Vicarage Road. Problems occur when all these areas are full. There

is a car parking area near St Bartholomew's church, some 75 metres away, but this is not generally used. Consequently vehicles are parked on Vicarage Road, where there is no footpath for 50 metres, and on the footpath/highway opposite the school. The latter is very common causing parents/carers, often with pushchairs, and children to walk in the road. This in itself is a significant safety issue. Vicarage Road is a busy road especially at peak times when buses arrive and depart from Penn Hall School. So a combination of possible increased parked vehicles, buses and pedestrians causes me and other residents concerns. Are there proposals to create additional parking space for employees and visitors?"

- 4.16 Responses to Consultation:
 - 4.17 In response to the outcomes of consultation, representatives from Education would like to make the following comments:
 - 2018-2019 Academic Year: A temporary change, supported by capital investment via the Department for Education's Special Provision Capital Fund, has been made to the capacity and range of needs catered for at Penn Hall School for the 2018-2019 academic year. These prescribed alterations are proposed to support the making permanent of the temporary arrangements that are currently in operation.
 - Road Safety: Education representatives have liaised with Road Safety representatives and reviewed opportunities and solutions to address parking constraints and consequential impacts. However, it is not felt that a cost-effective solution is currently available at this location.
 - 4.18 Having duly considered all responses received, Cabinet is recommended to approve the proposed prescribed alterations to Penn Hall School.
- ## 5.0 Tettenhall Wood School
- 5.1 Proposal:
 - 5.2 Tettenhall Wood School is currently designated as a community special school with a capacity of 102 which caters for students with Autistic Spectrum Disorder aged 5-19.
 - 5.3 It is proposed that with effect from 1 September 2019:
 - The capacity of Tettenhall Wood School is increased from 102 places to 120 places.
 - The age range of Tettenhall Wood School is changed from 5-19 to 4-19.
 - 5.4 In recent years, levels of demand for Tettenhall Wood School have increased significantly; consequently, numbers on roll at the school have increased from 57 in 2011-2012 to 110 in 2017-2018 (a 93% increase). The creation of additional capacity within this popular and successful school would provide extra places to meet an increased rate of autism in the City.
 - 5.5 The proposed change in age range (to 4-19) at the school would enable Tettenhall Wood School to cater for Reception age pupils. This change would support pupils and families

by promoting stability of provision and reduce the number of major transitions that pupils face.

- 5.6 Further information regarding the proposed changes to Tettenhall Wood School is available within the Complete Proposal and accompanying SEN Improvement Test (Appendix 8).
- 5.7 Outcome of Pre-publication Consultation:
- 5.8 Pre-publication Consultation ran from 14 May 2018 to 17 June 2018. During the Pre-publication Consultation period, more than 400 letters and consultation documents were distributed to stakeholders. Stakeholders included the Governing Board of Tettenhall Wood School, members of staff at Tettenhall Wood School, parents/carers of pupils attending Tettenhall Wood School and all schools in Wolverhampton. A complete list of stakeholders who were consulted can be found at Appendix 9.
- 5.9 During the Pre-publication Consultation period, 48 written responses were received by the City of Wolverhampton Council (as summarised in Figure 4). These were completed by a range of stakeholders including members of staff at Tettenhall Wood School, parents/carers of pupils attending Tettenhall Wood School and members of Tettenhall Wood School's Governing Board.

Figure 4: Written Responses Consultation Summary

Consultation Question	Number of Responses Received	Yes	No	Don't Know	Abstained
a. Do you agree with the proposal to increase the capacity of Tettenhall Wood School?	48	34 (71%)	6 (13%)	7 (15%)	1 (2%)
b. Do you agree with the proposal to extend the age range of Tettenhall Wood School?	48	39 (81%)	4 (8%)	3 (6%)	2 (4%)

Copies of all consultation responses can be found at Appendix 10 and must be given due consideration.

- 5.10 A number of supportive comments regarding the proposals were received during Pre-publication Consultation including:
 - “The Headteacher has discussed this with staff and explained how the curriculum will work and I think this will be a positive use of the proposed capital funding budget.” (T10 – Member of the Governing Board of Tettenhall Wood School)

- “An excellent idea to increase the pupil capacity at Tettenhall Wood. Much needed.” (T11 – Parent/Carer of a pupil at Tettenhall Wood School)
 - “Would be a good thing for children to start at Reception age like primary schools.” (T29 – Member of staff at Tettenhall Wood School)
 - “I believe it would be beneficial for children with autism to start their school life here, instead of having to transition from another school.” (T35 – Member of staff at Tettenhall Wood School)
 - “Necessary to meet the need in the area. Younger children need consistent placement from the start of their education rather than having to move after a year or so.” (T43 - Member of staff at Tettenhall Wood School).
- 5.11 A number of concerns and considerations regarding the proposals were also identified during Pre-publication Consultation including:
- “A more cost effective solution would be to open a free school.” (T13 - Local Headteacher)
 - “More spaces are needed for teaching, therapies and individual rooms. We currently do not have enough staff to meet the needs of some of the challenging pupils.” (T31 - Member of staff at Tettenhall Wood School)
 - “It really concerns me that by being in one school for their whole education will effectively institutionalise children and make transition to adult services even more difficult than it needs to be.” (T38 - SEND Professional)
 - “Increasing numbers would have to come with additional staffing and at a time when school budgets are stretched to breaking point, activities, outings etc get cancelled it would be hoped that sufficient funding can be put in place to support the senior leadership team in this expansion.” (T45 – Parent/Carer of a pupil at Tettenhall Wood School and Member of the Governing Board of Tettenhall Wood School).
- 5.12 Representatives from the Education Department met with members of Tettenhall Wood School’s Governing Board on 21 May 2018. A summary of this meeting is available at Appendix 11.
- 5.13 Representatives from the Education Department met with members of Tettenhall Wood School’s School Council on 21 May 2018. A summary of this meeting is available at Appendix 12.
- 5.14 Outcome of Representation:
- 5.15 The Representation Period commenced on 10 September 2018 and concluded on 7 October 2018. At the start of the consultation period, a Statutory Notice (Appendix 6) was published in the Express and Star Newspaper and consultation documentation was published on the Council’s website and distributed to relevant stakeholders. Appendix 13 provides a complete list of stakeholders who were consulted during Representation.
- 5.16 The City of Wolverhampton Council did not receive any responses regarding the proposed changes to Tettenhall Wood School during the Representation Period.

5.17 Responses to Consultation:

5.18 In response to the outcomes of consultation, representatives from Education would like to make the following comments:

2018-2019 Academic Year: A temporary change, supported by capital investment via the Department for Education's Special Provision Capital Fund, has been made to the capacity at Tettenhall Wood School for the 2018-2019 academic year. These prescribed alterations include a proposal to support the making permanent of the temporary arrangement that is currently in operation.

5.19 Having duly considered all responses received, Cabinet is recommended to approve the proposed prescribed alterations to Tettenhall Wood School.

6.0 Warstones Primary School

6.1 Proposal:

6.2 Warstones Primary School is a mainstream community primary school which does not currently house specialist provision for pupils with Special Educational Needs and Disabilities.

6.3 It is proposed that with effect from 1 September 2019, a 12-place resource base for pupils with Hearing Impairments is established at Warstones Primary School.

6.4 The establishment of resource base provision at Warstones Primary School would ensure the sufficiency of provision in the City, enable a wider range of pupils to benefit from the education and support provided by Warstones Primary School and address the existing demand issue with pupils leaving the City.

6.5 Further information regarding the proposed change to Warstones Primary School is available within the Complete Proposal and accompanying SEN Improvement Test (Appendix 14).

6.6 Outcome of Pre-publication Consultation:

6.7 Pre-publication Consultation ran from 14 May 2018 to 17 June 2018. During the Pre-publication Consultation period, more than 700 letters and consultation documents were distributed to stakeholders. Stakeholders included the Governing Board of Warstones Primary School, members of staff at Warstones Primary School, parents/carers of pupils attending Warstones Primary School and all schools in Wolverhampton. A complete list of stakeholders who were consulted can be found at Appendix 15.

6.8 During the Pre-publication Consultation period, 36 written responses were received by the City of Wolverhampton Council (as summarised in Figure 5). These were completed by a range of stakeholders including members of staff at Warstones Primary School, parents/carers of pupils attending Warstones Primary School and members of Warstones Primary School's Governing Board.

Figure 5: Written Responses Consultation Summary

Consultation Question	Number of Responses Received	Yes	No	Don't Know	Abstained
Do you agree with the proposal to establish a resource base for pupils with Hearing Impairments at Warstones Primary School, with effect from 1 September 2019?	36	32 (89%)	2 (6%)	1 (3%)	1 (3%)

Copies of all consultation responses can be found at Appendix 16 and must be given due consideration.

- 6.9 A number of supportive comments regarding the proposals were received during Pre-publication Consultation including:
- “It is a great idea, I’m surprised there isn’t more done for pupils with hearing impairments.” (W17 – Parent of a pupil at Warstones Primary School)
 - “Will definitely enhance the experience of all the children” (W20 – Member of staff at Warstones primary School)
 - “I hope that the inclusion of hearing impaired children in the school will enrich the experience of my children currently attending the school, and hope that they will learn deaf awareness as well as some basic signing skills.” (W23 - Parent/Carer of a pupil at Warstones Primary School)
 - “A good fit, making use of both spare space and capable management to offer an important service to the community.” (W28 - Parent/Carer of a pupil at Warstones Primary School)
 - “This facility would fulfil a need in the city and improve overall facilities at Warstones Primary School.” (W29 - Parent/Carer of a pupil at Warstones Primary School).
- 6.10 A number of concerns and considerations regarding the proposals were also identified during Pre-publication Consultation including:
- “My concern for the School is additional parking facilities for the extra members of staff required for the Resource base.” (W9 – Parent/Carer of a pupil at Warstones Primary School)
 - “It is essential that some infrastructure changes take place first, in order to accommodate the extra children. This would need to be in the form of extra cloakrooms, toilets and staff/visitor parking as they are currently inadequate.” (W12 – Member of staff at Warstones Primary School)
 - “The school needs to make improvements in other areas first, then consider hearing impairment unit.” (W18 - Parent/Carer of a pupil at Warstones Primary School).

- 6.11 Representatives from the Education Department met with members of Warstones Primary School's Governing Board on 16 May 2018. A summary of this meeting is available at Appendix 17.
- 6.12 Representatives from the Education Department met with members of Warstones Primary School's School Council on 6 June 2018. A summary of this meeting is available at Appendix 18.
- 6.13 Outcome of Representation:
- 6.14 The Representation Period commenced on 10 September 2018 and concluded on 7 October 2018. At the start of the consultation period, a Statutory Notice (Appendix 6) was published in the Express and Star Newspaper and consultation documentation was published on the Council's website and distributed to relevant stakeholders. Appendix 19 provides a complete list of stakeholders who were consulted during Representation.
- 6.15 The City of Wolverhampton Council did not receive any responses regarding the proposed change to Warstones Primary School during the Representation Period.
- 6.16 Responses to Consultation:
 - 6.17 In response to the outcomes of consultation, representatives from Education would like to make the following comments:

Capital Investment: Representatives of the Corporate Landlord Service are working closely with school leaders to develop an appropriate capital scheme which would effectively enable the prescribed alteration and meet pupils' needs.
 - 6.18 Having duly considered all responses received, Cabinet is recommended to approve the proposed prescribed alteration to Warstones Primary School.

7.0 Evaluation of alternative options

- 7.1 Whilst alternative solutions exist, the proposed changes offer practical opportunities to maximise the efficient and timely use of resources and align to the Council's strategic aspirations to:
 - "Ensure Wolverhampton's school estate is fit for purpose and meets the full range of more complex needs of children and young people with special educational needs and disabilities now being placed."
 - "Develop local provision in order to reduce the number of children needing residential and out of area education, health and care services." (City of Wolverhampton Council 2016).

8.0 Reasons for decisions

- 8.1 The proposals would support the Council to develop high quality educational provision for pupils with Special Educational Needs and Disabilities and ensure that community needs can be met effectively.

9.0 Financial implications

- 9.1 The capital investment required to support the implementation of the projects will be met from the Special Provision Capital Fund of £1.4 million with contributions from other capital grant or from schools. The costs associated with the projects detailed within this report is £539,000:

Project	Total Project Cost £000
Tettenhall Wood Special School	239
Penn Hall Special School	125
Warstones Primary School	175
Total	539

- 9.2 Approval is sought in the Capital Programme 2018-2019 to 2022-2023 quarter two review report which is also on this agenda and will subsequently be reported to Full Council for approval on the 5 December 2018.
- 9.3 The revenue funding for additional High Needs places is met from the High Needs Block of the Dedicated Schools Grant (£33.9 million in 2018-2019). In recent years, there have been overspends within this area of funding, leading to a continued need to borrow from future years. The proposed changes will contribute to reducing the need to borrow forward from this grant, by ensuring that pupils can access provision locally rather than being directed to alternative out of city or Independent provision (which are often more expensive).
- 9.3 In addition, there are revenue costs in relation to the transportation of children with Special Educational Needs and Disabilities, that is met from the Council's general fund (2018-2019 budget £3.2 million). There is a significant pressure on this cost due to the need to transport pupils to out of city placements. By placing children within City, it is expected that these costs will reduce. The actual cost of transportation for each individual pupil will vary, but an average cost is estimated to be £7,000 per annum for an out of city pupil, compared to £3,000 per annum for a pupil within City.

[DB/12112018/M]

10.0 Legal implications

- 10.1 Local authorities have a statutory duty to ensure that there is a school place available for every child. The Children and Families Act 2014 requires local authorities to keep the provision for children and young people with SEN and disabilities under review (including its sufficiency), working with parents, young people, and providers.

- 10.2 The legal implications arising from this report are stated in the body of the report. In addition, any proposals to alter the structure of school provision in the area would need to comply with the detailed provisions in the Education and Inspections Act 2006 to ensure sufficient consultation is undertaken and that relevant stakeholders are notified of the proposals/decisions in a timely manner.
- 10.3 Any works undertaken to any of the schools referred to in this report will need to be procured in accordance with the Constitution and relevant legislation.

[TS/16082018/Q]

11.0 Equalities implications

- 11.1 This report has equal opportunity implications as the contents have direct relevance to educational provision for children and young people in the City.
- 11.2 Full equality analyses have been completed in relation to each of the establishments. These analyses are available at Appendix 20 (Penn Hall School), Appendix 21 (Tettenhall Wood School) and Appendix 22 (Warstones Primary School). In line with the prescribed decision-making process, decision-makers are required to pay due regard to these analyses.

12.0 Environmental implications

- 12.1 There are no environmental implications to this report.

13.0 Human resources implications

- 13.1 There are no direct human resource implications to this report.

14.0 Corporate landlord implications

- 14.1 Projects and Works will continue to collaborate closely with both the schools and the education department to ensure that all required works are delivered to budget, programme and brief.
- 14.2 We will continue to hold regular meetings and issue monthly reports on the status of each project to ensure that the school is kept fully up to date and consistently informed throughout the process.

15.0 Health and Wellbeing Implications

- 15.1 Members of the SEND and Commissioning Partnership Board have been included in consultation regarding the proposed prescribed alterations.
- 15.2 The City of Wolverhampton Council and Wolverhampton CCG are working closely to ensure that the needs of pupils in pertinent schools can continue to be met effectively.

16.0 Schedule of background papers

- Cabinet, 12 September 2018 - '[The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning](#)'
- Individual Executive Decision Notice, 17 July 2018 – 'Proposed Changes to Specialist Educational Provision'
- Individual Executive Decision Notice, 6 March 2018 – 'Special Provision Capital Fund'
- Cabinet (Resources) Panel, 27 February 2018 - '[Special Provision Capital Fund](#)'
- Department for Education, April 2016 – 'Making 'prescribed alterations' to local authority maintained schools'
- Cabinet, 24 February 2016 - '[Joint Special Educational Needs and Disabilities Strategy](#)'

17.0 Appendices

[Appendix 1 - Penn Hall School – Complete Proposal and SEN Improvement Test](#)

[Appendix 2 - Penn Hall School – Pre-publication Consultation Stakeholder List](#)

[Appendix 3 - Penn Hall School – Pre-publication Consultation Responses \(a\)](#)

[Appendix 3 - Penn Hall School – Pre-publication Consultation Responses \(b\)](#)

[Appendix 3 - Penn Hall School – Pre-publication Consultation Responses \(c\)](#)

[Appendix 4 - Penn Hall School – Governors Meeting Summary](#)

[Appendix 5 - Penn Hall School – School Council Meeting Summary](#)

[Appendix 6 - Statutory Notice](#)

[Appendix 7 - Penn Hall School – Representation Period Stakeholder List](#)

[Appendix 8 - Tettenhall Wood School – Complete Proposal and SEN Improvement Test](#)

[Appendix 9 - Tettenhall Wood School – Pre-publication Consultation Stakeholder List](#)

[Appendix 10 - Tettenhall Wood School – Pre-publication Consultation Responses \(a\)](#)

[Appendix 10 - Tettenhall Wood School – Pre-publication Consultation Responses \(b\)](#)

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