



Coordinating Committee

Date:	Thursday, 2 October 2014
Time:	6.00 pm
Venue:	Committee Room 1 - Wallasey Town Hall

Contact Officer: Lyndzay Roberts
Tel: 0151 691 8262
e-mail: lyndzayroberts@wirral.gov.uk
Website: <http://www.wirral.gov.uk>

AGENDA

1. APOLOGIES FOR ABSENCE

To record any apologies for absence received.

2. CODE OF CONDUCT - DECLARATIONS OF INTEREST RELEVANT AUTHORITIES (DISCLOSABLE PECUNIARY INTERESTS) REGULATIONS 2012, INCLUDING PARTY WHIP DECLARATIONS

Members are reminded of their responsibility to declare any disclosable pecuniary or non-pecuniary interest which they have in any item of business on the agenda no later than when the item is reached.

Members are reminded that they should also declare whether they are subject to a party whip in connection with any item(s) to be considered at this meeting and, if so, to declare it and state the nature of the whipping arrangement.

3. CALL-IN OF A DELEGATED DECISION - CABINET MINUTE NO. 44 - OUTCOME OF THE LYNDALE SCHOOL CONSULTATION (Pages 1 - 150)

A report by the Strategic Director of Transformation and Resources is attached.

4. URGENT BUSINESS APPROVED BY THE CHAIR (PART 1)

To consider any urgent business that the Chair accepts as being urgent.

5. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

RECOMMENDATION:

That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined by the relevant paragraphs of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

6. URGENT BUSINESS APPROVED BY THE CHAIR (PART 2)

To consider any urgent business that the Chair accepts as being urgent.

WIRRAL COUNCIL

POLICY AND PERFORMANCE CO-ORDINATING COMMITTEE

2 OCTOBER 2014

SUBJECT:	<i>CALL IN – OUTCOME OF THE LYNDALE SCHOOL CONSULTATION</i>
WARD/S AFFECTED:	<i>ALL</i>
REPORT OF:	<i>JOE BLOTT, STRATEGIC DIRECTOR OF TRANSFORMATION AND RESOURCES</i>
RESPONSIBLE PORTFOLIO HOLDER:	<i>CLLR ANN MCLACHLAN</i>

1.0 EXECUTIVE SUMMARY

- 1.1 This report sets out the relevant documents in connection with the call in of a Cabinet decision relating to the Outcome of The Lyndale School Consultation. Members of the Co-ordinating Committee are requested to consider these documents as part of the call in process.

2.0 CALL IN PROCEDURE

- 2.1 The procedure for dealing with a call-in was agreed by the Co-ordinating Committee on 24 June 2013. The call-in procedure is included as Appendix 1 and sets out the framework for how evidence will be presented and the call in meeting will be conducted.

3.0 CALL IN DOCUMENTATION

- 3.1 The Form which sets out the signatories to the Call In is included as Appendix 2. This also indicates the reasons put forward by the signatories as to why the decision has been called in.
- 3.2 The decision called in was taken by Cabinet on 4 September 2014 and relates to the Outcome of The Lyndale School Consultation. The Cabinet report plus seven appendices that were provided to inform this decision are included as Appendix 3 and the relevant Cabinet Minute is included as Appendix 4.

4.0 RECOMMENDATION

- 4.1 Members of the Co-ordinating Committee are requested to consider the documents provided along with the additional evidence submitted at the meeting to inform the scrutiny of this Cabinet decision.

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APPENDIX 1

CALL IN PROCEDURE

Chair's opening remarks (5 minutes)

The Chair will open the call in setting out the following procedure.

Explanation of the call in by the lead signatory (5 minutes)

The Chair will invite the lead signatory to set out the reasons for the call in.

Overview and explanation of the decision taken by the relevant Cabinet Member (5 minutes)

The Chair will invite the Cabinet Member to explain the reasons for the decision.

Evidence from call in witnesses

The Chair will invite the lead signatory to call the following witnesses. Members of the Committee will be invited to ask these witnesses relevant questions:

{Witnesses names to be supplied in due course}

Evidence from Cabinet member's witnesses

The Chair will invite the Cabinet Member to call the following witness. Members of the Committee will be invited to ask witness relevant questions:

1. David Armstrong, Deputy Director CYPD and Assistant Chief Executive
2. Lynn Wright, Independent Consultant
3. Andrew Roberts, Head of Branch (Planning and Resources)
4. Councillor Phil Davies
5. Julia Hassall, Director of Children's Services

Summary of the lead signatory (5 minutes)

The Chair will invite the lead signatory to summarise the key points of evidence given in support of their case.

Summary of the Cabinet Member (5 minutes)

The Chair will invite the Cabinet Member to summarise the key points of evidence given in support of the initial decision.

Committee Debate

The Chair invites comments, observations and discussion from members of the committee.

Committee Decision

The Committee having considered the evidence and debate may:-

- Refer the decision back to the Cabinet Member setting out in writing the nature of its concerns.
- Refer the matter to full Council. Such a referral should only be made where the Coordinating Committee believes that the decision is outside the policy framework or contrary to or not wholly in accordance with the budget. The procedures set out in those rules must be followed prior to any such referral.
- Uphold the decision - If the Coordinating Committee agrees with the initial decision the relevant Senior Officer may implement it.

In the event of any political group not agreeing with the majority decision of the Coordinating Committee, it may prepare a written minority report for consideration by Council when the minutes of the Coordinating Committee are considered. Any such report must be handed to the Head of Legal and Democratic Services in accordance with Standing Order 7(2).

The Leader of the relevant group or his/her representative will have an opportunity to explain the minority report to the Council and Council and Council may discuss and vote for/or against such a report without prejudice to any decision already implemented.

OVERVIEW AND SCRUTINY COMMITTEE CALL-IN PROCEDURE (Standing Order 35)

Decision of Cabinet to be called in:

Date of meeting	4 September 2014
Minute number	44
Subject	Outcome of The Lyndale School Consultation

Reason(s) for call-in (use additional sheet if required):

1. The Independent Consultant appointed to comment upon the options for Lyndale School was appointed unilaterally by the Local Authority, with no consultation with the Governors or Parent's of Lyndale School.
2. The Independent Consultant's report was not commissioned prior the consultation and was published once the consultation had closed, therefore not allowing any proper or adequate scrutiny of the aforementioned report.
3. Cabinet had prepared, prior to the meeting, a typed and printed recommendation which was moved by Cllr Tony Smith and agreed unanimously by attending members of the Cabinet. It would therefore seem that Cabinet's decision had insufficient regard to the presentations made at the Cabinet meeting, including the articulate and highly persuasive contributions from parent representative Zoe Anderson.
4. Education, Health and Care Plans are currently being drafted in respect of all pupils who attend the Lyndale School. In order for Cabinet, the Independent Consultant, or indeed the wider public, to have sufficient information to decide whether or not these pupils could continue their education at alternative schools the aforementioned plans should have been published prior to the opening of the consultation.
5. A series of questions raised by Governors and Parents of the Lyndale School to the Local Authority where not answered adequately or at all, so as to hinder the Governor's and parent's ability to fully respond to the consultation process.
6. The consultation meetings, although described as 'generous' by the Independent Consultant, where flawed, insofar as the Chair was an council officer and could not reasonably have been seen as independent given officers previous recommendations to Cabinet. Additionally no minutes of these meetings where published but rather 'high level notes' which were not conducive to the principle of a full and open consultation.
7. Owing to the above the Cabinet could not have made a properly informed decision as to whether the proposals met the SEN Improvement Test.

Called in by [signature(s) to be inserted]:

APPENDIX 2

Councillor	Paul Hayes																													
<p>Councillors:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">(1) Jeff Green</td> <td style="width: 50%;">(14) Bruce Berry</td> </tr> <tr> <td>(2) Phil Gilchrist</td> <td>(15) Chris Carubia</td> </tr> <tr> <td>(3) Leah Fraser</td> <td>(16) Wendy Clements</td> </tr> <tr> <td>(4) Pat Williams</td> <td>(17) Stuart Kelly</td> </tr> <tr> <td>(5) Steve Williams</td> <td>(18) Dave Mitchell</td> </tr> <tr> <td>(6) Chris Blakeley</td> <td>(19) Geoffrey Watt</td> </tr> <tr> <td>(7) Eddie Boulton</td> <td>(20) David Elderton</td> </tr> <tr> <td>(8) Gerry Ellis</td> <td>(21) Tom Anderson</td> </tr> <tr> <td>(9) John Hale</td> <td>(22) Mike Hornby</td> </tr> <tr> <td>(10) Andrew Hodson</td> <td>(23) Cherry Povall</td> </tr> <tr> <td>(11) Kathy Hodson</td> <td>(24) Lesley Rennie</td> </tr> <tr> <td>(12) Les Rowlands</td> <td>(25) Tracey Smith</td> </tr> <tr> <td>(13) Adam Sykes</td> <td>(26) Pat Cleary</td> </tr> <tr> <td></td> <td>(27) Alan Brighthouse</td> </tr> </table>			(1) Jeff Green	(14) Bruce Berry	(2) Phil Gilchrist	(15) Chris Carubia	(3) Leah Fraser	(16) Wendy Clements	(4) Pat Williams	(17) Stuart Kelly	(5) Steve Williams	(18) Dave Mitchell	(6) Chris Blakeley	(19) Geoffrey Watt	(7) Eddie Boulton	(20) David Elderton	(8) Gerry Ellis	(21) Tom Anderson	(9) John Hale	(22) Mike Hornby	(10) Andrew Hodson	(23) Cherry Povall	(11) Kathy Hodson	(24) Lesley Rennie	(12) Les Rowlands	(25) Tracey Smith	(13) Adam Sykes	(26) Pat Cleary		(27) Alan Brighthouse
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	(27) Alan Brighthouse																													

***Received by:**

Signature:	Date	Time
On behalf of the Head of Legal and Member Services		

Referred to:

Policy and Performance Co-ordinating Committee	Date
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*This form must be received by the Head of Legal and Member Services by **no later than 5.00 pm** on the fifth working day following notification that the minutes have been published.

STANDING ORDER 35

Calling in of decisions

(1) All decisions of:

- (i) the Executive Board,
- (ii) an individual member of the Executive Board or
- (iii) a committee of the Executive Board, and
- (iv) key decisions taken by an officer;

shall be published, and shall be available at the main offices of the Council normally within 2 days of being made. All members of the Council will be sent a copy of the decision.

- (2) That Minute(s) will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, unless the decision is called in for scrutiny by 5:00p.m. on the final day of the call-in period of five clear working days from the date of publication. (Adjusted by a maximum of one day if there is one or more Bank Holidays in that period)
- (3) (a) During that period, the Chief Executive shall Call-In a decision for scrutiny by the Co-ordinating Committee if so requested by any six members of the Council who have given detailed reasons for the Call-In of the decision. The detailed reasons must be provided by the Lead signatory, by the Call In deadline. When a Call In is requested the Chief Executive shall liaise with the Member listed first on the Call-In schedule, to ensure there is sufficient information provided to enable the Call-In to proceed. As long as there is a clear reason given, the call-in should be allowed. He/she shall then notify the decision-taker of the Call-In. He/she shall call a meeting of the Committee on such date as he/she may determine, where possible after consultation with the Chair of the Co-ordinating Committee, and in any case within 15 working days of the decision to call-in.
- (b) The relevant Chief Officer and all members will be notified of a call-in immediately and no action will be taken to implement the decision until the call-in procedure has been completed. A decision of the Cabinet, a committee of the Cabinet or individual Cabinet member may be called in only once.
- (4) Having considered the decision, the Co-ordinating Committee may:-

APPENDIX 2

- (i) refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or;
 - (ii) refer the matter to full Council. Such a referral should only be made where the Co-ordinating Committee believes that the decision is outside the policy framework or contrary to or not wholly in accordance with the budget. The procedures set out in those rules must be followed prior to any such referral.
- (5) If a decision is referred back to the decision making person or body it shall be reconsidered in the light of the written concerns of the Co-ordinating Committee before a final decision is made.
- (6) If following a call in, the Co-ordinating Committee does not refer the matter back to the decision making person or body and does not refer the matter to Council, the decision shall take effect on the date of the Co-ordinating Committee meeting. If the Co-ordinating Committee does not meet the decision shall take effect from the date when the Committee should have met.
- (7) If the matter is referred to full Council and the Council does not object to a decision which has been made, then the decision will become effective on the date of the Council meeting.
- (8) If the Council does object the Council may take a decision, which is outside the policy and budgetary framework. Otherwise the Council will refer any decision to which it objects back to the decision-making person or body, together with the Council's views on the decision. That decision making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Executive Board as a whole or a committee of it, a meeting will be convened to reconsider within ten working days of the Council request. Where the decision was made by an individual, the individual will reconsider within ten working days of the Council request.
- (9) Call-in should only be used in exceptional circumstances where members have evidence which suggests that the decision was not made in accordance with the principles of decision making in the constitution.
- (10) Call-in and urgency
 - (a) The call-in procedure set out above shall not apply where the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay is likely to be caused by the call-in process would seriously prejudice the Council's or the public's interest. The record of the decision and the notice by which it is made public shall state whether, in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The Chief Executive must agree both that the decision proposed is reasonably in all the circumstances and to it being treated as a matter of urgency. Decisions taken as a matter of

APPENDIX 2

urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

- (b) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

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WIRRAL COUNCIL

CABINET

4TH SEPTEMBER 2014

SUBJECT:	REPORT DETAILING THE OUTCOME OF THE CONSULTATION ON THE CLOSURE OF THE LYNDALE SCHOOL
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF CHILDREN'S SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR T SMITH
KEY DECISION? <i>(Defined in paragraph 13.3 of Article 13 'Decision Making' in the Council's Constitution.)</i>	YES

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to detail the outcome of the consultation on the closure of The Lyndale School.
- 1.2 This report outlines the responses received during the consultation, reviews the alternative options identified, as well as detailing the outcome of the SEN Improvement Test.
- 1.3 Included as **Appendix 1** is the report of the Independent Consultant on the proposal to close The Lyndale School, the options, including those which have emerged throughout the consultation period, and her view on the SEN Improvement Test.
- 1.4 In January 2014 Cabinet agreed to undertake a consultation on the closure of The Lyndale School. The consultation closed in June 2014. This report recommends that Cabinet considers the contents of this report and makes a decision on this matter.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 The Lyndale School is a special school for primary aged children with Complex Learning Difficulties (CLD). The school is located in Eastham and serves the whole of Wirral. Most of the children currently attending the school have Profound and Multiple Learning Difficulties (PMLD). Ofsted's most recent inspection of the school in November 2012, judged that The Lyndale School was a good school, with outstanding features.

- 2.2 The future of The Lyndale School has been the subject of discussion for a number of years. This has created a degree of uncertainty for parents, pupils, staff and governors.
- 2.3 In 2013 a new system of funding was introduced by the DfE for the funding of High Needs pupils in schools. This introduced a new national system for the funding of specialist provision, with each school receiving an amount of £10,000 per place and an additional top up based on individual pupil needs. This new system is known as “Place plus”. Previous funding systems were more heavily weighted towards funding places in special schools rather than pupils.
- 2.4 In respect of “Place” funding authorities must review specialist provision. The intended outcome is that the number of places broadly matches where the students will be. It will mean that some schools that have more pupils than places (where it is expected that these numbers will continue), will receive additional funding. Other schools where places are unfilled will need to plan for a reduction in their funding.
- 2.5 The Council has a statutory duty to ensure that there are sufficient school places in our area with fair access to educational opportunity to promote the fulfilment of every child’s potential (Education Act 1996). Across all Councils in England over a period of years the range, number and needs of children and young people with special educational needs will change, so too will the resources to support the provision required to meet children and young people’s needs. Therefore, it is important that our local schools change to meet changing needs and numbers of children and young people. Consideration about how to meet the special educational needs of children and young people forms part of the Wirral Children and Young People’s Plan 2014 – 16. This Plan sets out the Council’s commitment to provide the very best outcomes for Wirral’s children and young people.
- 2.6 Within Wirral, the delivery of this duty has seen the number of places being made available in a variety of schools change. These changes have been made to reflect patterns in parental choice as well as accommodating demographic change. The delivery of this duty has also seen Elected Members consider a number of reports. A number of these have related to the delivery of SEN provision in Wirral and in particular some of the reports have focused on provision for children with Complex Learning Difficulties (CLD). A full chronology of these reports can be seen in **Appendix 2**. The new Children and Families Act 2014 introduces wide ranging reforms to services and approaches to children with special educational needs and / or disabilities. This will be implemented from 1st September 2014. It places a stronger focus on the commissioning of specialist provision. The new Education, Health and Care plans for all new children who would formerly have received a Statement of Special Educational Needs and which will replace all existing Statements of Special Educational Needs over the next three years will create a need to build better flexibility in the system to achieve improved outcomes for children and young people. Along with this is the challenge to Wirral in response to its statutory duty to make the most efficient use of its resources.

APPENDIX 3

- 2.7 The closure of The Lyndale School is being considered because the viability of the school is compromised by its small size and falling roll. It is also the case that there are two other primary schools in Wirral providing good and outstanding provision for children with complex learning difficulties.
- 2.8 Any option for change involving special educational provision must be likely to lead to improvements in the standard, quality and/or range of educational provision. This is assessed through the application of the 'SEN Improvement Test'. This test is set out in an Annexe to the document School Organisation Maintained Schools Statutory Guidance 2014 and is attached as **Appendix 3**.
- 2.9 To ensure an objective view the application of the SEN Improvement Test has been reviewed by an independent consultant with considerable experience of both mainstream and special schools including children with PMLD. The consultant was recruited through a nationally recognised consultancy with a great deal of experience in special educational needs. The consultant was commissioned for 18 days to look at the options presented to Cabinet in January 2014 and to further consider any new options or variations to options which emerged throughout the consultation period.
- 2.10 The Council identified a number of options for alternatives to The Lyndale School. Each of these options is reviewed in Section 5 of this document with reference to the SEN Improvement Test. This includes a review of the additional options which have emerged during the consultation.

3.0 MEETINGS AND THE CONSULTATION

- 3.1 The public consultation on the proposal to close The Lyndale School began on the 2nd April 2014 and ended on the 25th June 2014. Copies of the consultation document were distributed to the parents/carers, teachers and governors of the three primary schools for children with CLD. All Wirral head teachers and governing bodies were sent copies along with Trade Unions, Wirral MPs and Councillors, neighbouring Councils, diocesan bodies, Council departments and other interested persons. The document was also published on the Council's website for residents to gain access.
- 3.2 Six public meetings were arranged, the details of which are contained in the consultation document attached as **Appendix 4**. An analysis of the consultation meetings is attached as **Appendix 5**. Key issues raised at the meetings are outlined below and a more detailed list of issues raised is attached as **Appendix 6**. The six meetings were arranged at five different venues and at different times to allow as many people as possible to attend. In attendance at the meetings for the Council were, Cllr Tony Smith: Cabinet Member, Children and Family Services; Julia Hassall: Director of Children's Services; Andrew Roberts: Senior Manager: Funding and Resources; David Armstrong: Head of Universal Services; Philip Ward: Senior Manager Special Educational Needs and Disabilities. Notes taken at the meetings to assist officers in their considerations are attached as **Appendix 7**.
- 3.3 The consultation document had a feedback form for use and copies of the form were provided at each of the public meetings.

- 3.4 Officers also had meetings with Alison McGovern MP and the parent governors of The Lyndale School to explore the feasibility of options. Meetings were held separately with the staff and governors of each of the three primary CLD schools and with the five head teachers of the five CLD schools both primary and secondary.
- 3.5 Members of the Council also took an opportunity to visit the special schools for children with CLD over a period of two days (16th and 17th June), and some members visited on other occasions.
- 3.6 85 separate people attended the public meetings. Some people attended more than one meeting.

The key themes which have emerged during the consultation process are:

3.6.1 Overall funding issues

Some responses linked The Lyndale School proposal to the Council needing to look at ways of reducing costs. Others asked why this was happening when education funding has not been cut nationally and the Dedicated Schools Grant is ring fenced. If the Council is not going to benefit why do it? Comments said that there are significant reserves within the Schools Budget and that these could fund the school shortfall at The Lyndale School for many years, instead they are being used to fund PFI costs.

It was confirmed that any reduction in funding at The Lyndale School would be redistributed to other schools, and would not be a saving to the Council.

3.6.2 Capital

Some people responding to the consultation made reference to the fact that accommodating The Lyndale School pupils in other schools could cost the Council money. Why go to this additional expense? The funding could be better spent if it was invested in the fabric at The Lyndale School.

3.6.3 Funding Bands

Views were expressed that funding arrangements are not based on the needs of children. Whilst a banding system may be administratively convenient, the bands are not sufficiently flexible. The Lyndale School Governors responded to the new funding system during a previous consultation and said that Band 5 was inadequate. If it is inadequate at The Lyndale School it is also inadequate at other schools, so other children will also be disadvantaged. A conclusion from one response is that the Top Up funding bands have been set from a cost cutting point of view.

However it should be noted that the new high needs funding system was introduced following a detailed review by the Schools Forum and in consultation with schools. The Schools Forum is a consultative body which

APPENDIX 3

makes recommendations to the Council's Cabinet. The forum consists of school headteacher and governor representatives.

Some parents from The Lyndale School asked a number of questions about the criteria used for Band 5, commenting that the basis is flawed; many children assessed to be in Band 4 also need the same high levels of staff time and resources.

Parents and governors have said that Band 5 is significantly less than other schools and less when compared to the previous school funding system. They quote that amounts per pupil have reduced from £33,000 to £26,000. Taking this into account they believe the Top Up should be increased from £16,000 to £24,000 otherwise the drop in funding will lead to a decline in care.

This view is based on an assumption that there has already been a reduction in place funding at the school from 40 to 25 places. The school is however currently funded for 40 places. This change would increase the overall Top Ups for children at The Lyndale School by £200,000 per annum, which would almost certainly have to be met locally by a reduction in funding for other schools.

3.6.4 The Lyndale School Size and Viability

There were a range of comments relating to the size and ongoing viability of The Lyndale School, these included the following:

The reason that the school is not viable is that it has not been given enough funding for the children at the school. The school is not overstaffed. Needs have costs and the funding formula must be correct for each child. Other authorities fund children with PMLD at a higher rate.

It was confirmed that whilst this is true, there are also authorities that fund at a lower rate.

The cost of a child at school will be the same no matter which school he or she is at.

This does not take into account any potential for any economies of scale.

Another response commented that in a larger school there is a risk that a higher level of funding will be spent in meeting the needs of other children.

Finally one response said that keeping a small school open whilst there is equal quality of provision elsewhere is not feasible.

3.6.5 Health and Safety of The Lyndale School pupils.

Throughout the consultation in both public meetings and in written responses, the safety of The Lyndale School pupils and the ability of staff to support their high levels of need were raised. Parents were concerned that, should the pupils be

moved to another school, their children would be at risk. Parents, teachers and support staff said they felt that, in their view, the other two primary CLD schools could not meet the very specialised needs of their children. This was an issue that came up at each of the public meetings. Parents felt strongly that all the skills needed to support their children were provided at The Lyndale School and could not be provided at other schools.

The Council gave an assurance that the other two primary schools could meet the needs of their children, and should there be any gap in skills needed to support their children, this would be addressed by the Council and the receiving school. In the Council's written response to the submission put forward by the parent governors of The Lyndale School, which questioned both Stanley School and Elleray Park School's ability to support their children, both schools gave assurance that they were able to meet needs of all children with CLD, including children with PMLD. The point was made that The Lyndale School pupils would also move on when they transfer to secondary school. Assurance was also given that parents would have the opportunity to discuss their child's needs with any receiving school, just as they do currently at The Lyndale School.

3.6.6 Future of The Lyndale School Staff

Parents and staff were concerned about the future of the staff of the school.

The Director and the Senior SEN Manager met with the staff of The Lyndale School on two occasions. Human Resources managers also met with the staff.

Staff are concerned about their future. Parents raised the issue of specialist skills being lost if staff leave. The question about The Lyndale School's staff transferring to another school along with the children was raised many times.

The Council said that it anticipated that some staff may follow the children but it is the legal responsibility of the governing bodies of schools to appoint staff, not the Council. The consultation drew to our attention that we referred to eligibility of The Lyndale School staff for redeployment. If the school were to close, individual discussions would take place with staff employed at The Lyndale School. There is no redeployment policy across Wirral schools as the governing body of each school makes employment decisions. However, as in previous school reviews every effort will be made to assist staff in finding suitable alternative employment. Should the other special schools require additional staff, and with the agreement of the other governing bodies, staff may be given prior consideration for posts and/or consideration alongside other applicants received.

3.6.7 Assessment of Children

Throughout the consultation, respondents made it very clear that the focus should be on meeting the individual needs of the children.

APPENDIX 3

Prior to the consultation process beginning, a commitment was made by the Director of Children's Services for holistic, multi-agency assessments/meetings to be held at The Lyndale School for all the children whose parents would like them. This would inform how the needs of each child can be safely met in future.

The purpose was to collate the information available from different sources, i.e. Education, Health and Social Care, to give an up-to-date picture of all the children at the school to ensure parents and the Council have a clear picture of the children's needs. The Principal Educational Psychologist and members of the SEN Team have met with the headteacher and parents along with NHS Continuing Care staff as appropriate. The assessment information is to be collated into draft Education, Health and Care Plans (EHCPs) under the new SEND Regulations which come into force from 1st September 2014. During the autumn term these plans will be reviewed in collaboration with parents. The EHCPs will hold the most current collated information on the child and will, over time, replace the current statement. They will be updated as necessary using the schools' annual review process.

3.6.8. Hydrotherapy Pools and Physical Environment

Questions were raised about the ability of the two other primary schools for children with CLD to provide a suitable environment and therapeutic support.

Both schools and the Council assured parents that the provision in both schools could meet the needs of the children.

The outside space and sensory garden at The Lyndale School were raised as positive features.

Should the school cease to operate at the current site every effort would be made to relocate / recreate these features.

3.6.9 Pupil Numbers

Suggestions were made about how to increase the number of pupils attending The Lyndale School, in the light of falling numbers of pupils. It was suggested that a way of increasing numbers attending The Lyndale School might be to restrict the numbers going to Elleray Park School and Stanley School.

Although the Council affirmed its responsibility to ensure appropriate provision is available to support children, it confirmed that it is unable to steer parents and restrict parental choice. The number of children going to The Lyndale School has steadily reduced.

Some people thought that the Council was deliberately directing parents away from The Lyndale School.

It was stated that this was not the case and that the school continues to be open, and to be promoted as a choice in the Admissions Booklet and

therefore any parent can express a preference for the school. It was acknowledged by the Council that the future of The Lyndale School had been subject to discussion for a number of years which may have affected parents' choices when considering schooling for their child.

3.6.10 Retaining The 'Lyndale School Ethos'.

During the consultation parents often spoke of the need to retain the 'Lyndale ethos' for their children at another school in the event of the children transferring.

Whilst this was acknowledged it was explained that in the event of the school closing the Council would enter into discussion with each individual family about the destination of their child. Groups of children with statements of special educational needs can not be moved from one school to another without going through the formal statutory process with families on an individual basis. Each child's statement would need to be amended with each family.

Some parents asked about developing a primary cohort at Foxfield School.

This became the subject of further discussion between parent governors of The Lyndale School, Alison Mc Govern MP and officers of the Council. The Lyndale parent governors indicated their intent to enter into discussion with parent governors at Foxfield School.

3.6.11 SEN Improvement Test

People in attendance at the meetings and other representations questioned the independence of the SEN Improvement Test.

To ensure the Council took an independent view into account, it engaged an independent consultant to look at the options contained in the consultation document and any other proposal that emerged during the consultation period. The consultants report is attached as Appendix 1.

3.6.12 Developing a School for children aged 2-19 years

The question about providing a school for children aged 2 – 19 years was raised many times.

The Council referred back to recent history where it was decided that there was no widely held view by parents across all schools for children with complex learning difficulties to develop this provision. However, the Council agreed that this would be considered as part of the current review.

3.6.13 The Consultation

Some people said they thought the consultation should have defined what was meant by the term PMLD. Others asked about what the position will be if the options are not viable.

The Council had stated from the start of the consultation process that it may raise additional options and that these would be considered.

Some parents raised the question as to why the Council had not promoted The Lyndale School as an option as part of the consultation, and others objected to the proposed closure saying that they thought their children would only be safe at this school. Some attendees objected to the style of chairing the meetings.

4.0 RELEVANT RISKS

- 4.1 If The Lyndale School's future is not formally determined there is a danger that its financial position could worsen, ultimately impacting on the quality of education available at the school.

5.0 OTHER OPTIONS CONSIDERED

- 5.1 The original options reported to Cabinet on 16th January are detailed in the consultation document attached as **Appendix 4**. These options together with those that emerged during the consultation process are discussed below. Options which emerged during the consultation are labelled **New Option**. The consultant's report (**Appendix 1**) independently reports against each of the options and addresses the issues about the SEN Improvement Test.

- 5.2 **Retain The Lyndale School and the school commits to take full range of CLD. Stanley School and Elleray Park School admissions kept to place numbers (Original Option 1 from Cabinet Report 16.01.14)**

- a) **Retain The Lyndale School and extend to take the full range of children with CLD**
- b) **Retain The Lyndale School and Stanley School and Elleray Park School admissions are kept to place numbers**
- c) **Retain The Lyndale School and change funding bands (New option)**

By encouraging children with a broader range of complex learning difficulties to attend The Lyndale School, it may be possible to increase the numbers on roll, however this could have an impact on the number of pupils at both Stanley School and Elleray Park School.

The above options would have the following Capital and Revenue implications:

Capital – There would be some additional condition / suitability requirements for the school. These would need to be met from the Council's capital programme.

Revenue – This option would have budget implications at Stanley School, Elleray Park School and The Lyndale School (all primary schools for children with PMLD).

- a) **Retain The Lyndale School and extend to take the full range of children with CLD**

This option would require the Lyndale School to take the full range of children with complex learning difficulties. Whilst the school is registered to take children with CLD, it has focused primarily in recent years on taking children with profound and multiple learning difficulties. The future viability of The Lyndale School has now become so uncertain due to the reducing numbers of families expressing an interest in the school, we are therefore proposing this is not a viable option for the future.

b) Retain The Lyndale School and Stanley School and Elleray Park School admissions are kept to place numbers

This would mean that both Stanley School and Elleray Park School would not be allowed to become oversubscribed. Over time the number of children at Stanley School would reduce from 100 to 90 and be maintained at that number. Similarly the number of pupils at Elleray Park School would reduce from 94 to 90 and be maintained at that number.

The revenue implications would be a budget reduction of £70,000 for Stanley School and £32,000 for Elleray Park School and both schools would need to absorb this loss of funding.

The Lyndale School would take an additional 14 pupils and would receive additional funding of £102,000. Starting from 23 pupils on roll the school would have 37 children. Having 3 less than the current 40 places, place funding may therefore only reduce by £30,000 (3 places). Overall the school would receive additional income of £72,000.

The additional costs for the school are associated with extra pupils and have been measured minimally in terms of additional classes. 14 additional pupils are likely to result in an additional 2 classrooms. Taking account of teaching, teaching assistant and learning resources each classroom would cost in the region of £90,000 pa. In addition it is likely that the school would need a post of Deputy Headteacher.

In total the anticipated additional costs for The Lyndale School are £240,000, giving a net deficit of £168,000 pa. This is not a sustainable position.

The most important factor regarding this option is that applying any policy to keep numbers at place level does not comply with lawful parental entitlement to express a preference.

c) Retain The Lyndale School and change funding bands (New option)

Any financial solution is likely to require either a unique The Lyndale School Top Up, providing additional funding over and above Band 5 (£16,000), or changes across all High Needs bands (increasing the amount paid for all children at Band 5 at all CLD schools). Either of these options would impact on High Needs provision in other special schools, since additional funding for this band would have to be found from within the overall resources available.

In respect of all three options under this heading, the SEN Improvement Test would not apply here as there is no change to The Lyndale School for the children.

5.3 **The Lyndale School becoming all through school for children aged 2 – 19 years**

(Original Option 2 from Cabinet Report 16.01.14)

To progress this option would require an initial consultation with all five schools for children with complex learning difficulties in Wirral, engaging with children and young people, families, governors and school staff, together with an analysis of the implications for the future. In Wirral the primary schools are: The Lyndale School, Elleray Park School and Stanley School, and the secondary schools are Meadowside School and Foxfield School. This would be possible, but we know from an informal consultation about this proposal in 2010 that there was not an appetite for this option from schools, other than The Lyndale School. It is therefore unlikely that this option will meet the SEN Improvement Test. Also, it would be unusual to implement a change impacting on all provision for children with complex learning difficulties, without this being part of a wider review of the whole service. The above option would have the following Capital and Revenue implications:

Capital - The accommodation and equipment at The Lyndale School is designed around primary aged pupils. An assessment of needs for older pupils would be required. This combined with the existing conditions / suitability requirements for the school would be a demand on the Council's Capital Programme.

Revenue - This option would have budget implications at Foxfield School, Meadowside School and The Lyndale School.

Foxfield School and Meadowside School:

Foxfield and Meadowside secondary schools currently have 24 children with PMLD generating place and top up funding of £555,000. Over time it is possible that some of these children / young people would be based at The Lyndale School, rather than at these two schools. The potential maximum reduction in overall funding for Foxfield School and Meadowside School would be 15%, a significant amount of their school budget. In absorbing this loss it is likely to destabilise the budgets for both schools.

The Lyndale School:

An additional 24 children / young people would increase The Lyndale School's overall number to 47, giving additional place and top up funding of £385,000 (7 places and 24 top ups). The additional costs for the school are likely to be as a minimum 4 new classes and a deputy headteacher. In total this would be £420,000.

This option gives a revised deficit position for the 2 – 19 school of £35,000 assuming places are taken up. This is not a sustainable position. In the short to medium term the school would need to be allocated a growth fund, since it is likely that an increase to 47 children would only be achieved over time (possibly 7 years). In the long term additional funding would need to be identified.

5.4 **Federate (hard or soft) with another school with The Lyndale School remaining on current site**

(Original Options 3 & 4 from Cabinet Report 16.01.14)

- Federate with another special school
- Federate with another primary or secondary school

Both of these options, taken together, have not attracted any significant interest during the consultation process. There would be issues relating to sustaining the quality of provision whilst remaining at the current The Lyndale School site, particularly if the school roll continues to fall.

The above options would have the following Capital and Revenue implications:

Capital – This option would require some additional condition / suitability funding for the school.

Revenue – The revenue implications for The Lyndale School resulting from Federation may be:

- reduced funding of £170,000, based on the school having 23 pupils
- reduced costs of up to £30,000, by sharing 50% of the cost of a headteacher / principal

The net reduction in funding of £140,000 is not a sustainable position either for the school or the Federation. By itself this is not a viable option.

Along with there being little interest in this option, it is unlikely that it would satisfy the SEN Improvement Test in relation to sustaining the quality of provision for the future due to lack of financial sustainability.

This option is one which would be for The Lyndale School Governors to progress.

5.5 **Co-locate The Lyndale School with another special school**

(Original Option 5 from Cabinet Report 16.01.14)

- Co-locate with another special school
- Co-locate and federate with another special school (**New Option**)

The above options would have the following Capital and Revenue implications.

Capital – Significant capital would be required at any special school, to create the additional rooms and facilities required for this option. The costs at the 4 sites where this could happen, Elleray Park School, Stanley School, Meadowside School and Foxfield School, would provisionally be £0.5m to £1m.

Revenue – The revenue implications for this option would be reduced funding from having 23 rather than 40 places (£170,000), but also reduced costs. Being part of another school, this option is likely to reduce running costs – caretaking, cleaning, energy and support services. Head teacher costs may also reduce or be shared, but this is not assumed. Overall a reduction of £89,000 has been estimated, giving a net deficit of £81,000. Without additional funding therefore this is not a viable option.

Co-location with another school with both schools potentially retaining a different ethos is a factor which would need to be taken into consideration. The viability of the financial position makes this option difficult.

There is potential for the SEN Improvement Test to be met, although there are some concerns.

5.6 The Lyndale School becoming an Academy / Free School

(Original Option 6 from Cabinet Report 16.01.14)

This option is one which would be for The Lyndale School Governors to progress, and our understanding is that the governors have sought advice on this.

The above option would have the following Capital and Revenue implications

Capital – The school would still require some upgrading as part of this option. The academy would seek this funding from the Education Funding Agency (EFA).

Revenue – The funding for an Academy Special School comes through two routes. The EFA would provide place funding and it is likely that this would be no different to that provided by the Council, currently 40, but reducing to lagged pupil numbers (estimated to be 23). Top up funding is paid by the authority commissioning the place at the school. It is likely that Wirral would continue to offer funding up to band 5 (£16,000) i.e. there would be no change in the funding provided.

An academy also receives an Education Service Grant (ESG) for each pupil at the school. The rate announced for ESG for special schools in 2014-15 is £370, giving a grant of £8,510. It is possible, but not certain, that this funding would cover the additional academy costs that maintained schools do not incur such as higher insurance, accountancy and audit fees.

Therefore, the academy would be faced with the same deficit as a maintained special school of £170,000 and would not be viable.

Consideration of the SEN Improvement Test would be a matter for the DfE. However, the uncertain financial viability of an academy is likely to cause continuing concern to a parent when considering a place for their child. The academy would have an uncertain future and the Council would not want to promote this degree of uncertainty.

5.7 **Close The Lyndale School. Open two SLD bases in Primary schools for 6/8 pupils each. Expand Elleray Park School and Stanley School to 100 each**

(Original Option 7 from Cabinet Report 16.01.14)

- Close The Lyndale School
- Close The Lyndale School and open SLD bases in two primary schools
- Close The Lyndale School, open SLD places in two primary schools and expand Elleray Park School and Stanley School to 100 each
- Close The Lyndale School and open a PMLD base on the new Foxfield School site (**New option**)

There would appear to be little interest in developing SLD bases in mainstream primary schools. This would need to be subject to consultation and evaluation of all the costs implied in such a development, i.e., specialist provision at a mainstream school, staffing, building adjustments for the specialist provision and the mainstream school itself.

The first three options would have the following Capital and Revenue Implications

Capital: This option would require additional works at Elleray Park School and Stanley School. In addition capital would be required if accommodation was not available at the schools hosting SLD units

Revenue: There would be revenue implications for Stanley School and Elleray Park School and also the 2 schools providing SLD units.

The closure of The Lyndale School would reduce costs by £740,470; this is the schools current delegated budget.

The additional costs for Stanley School and Elleray Park School would be the place and top up funding for the children transferring to those schools. Assuming 17 out of 23 children transfer, this would be £434,000. 6 children would also attend the SLD bases. If both units opened, the place and top up funding needed would be £163,000. Finally there would be a net reduction in the overall High Needs Place Funding of £170,000.

To summarise: Expenditure would reduce from the closure of Lyndale by £740,470. However the costs of the additional places and units would be £767,000.

This would give a net deficit of £26,530, which is not a viable option.

APPENDIX 3

It is unlikely that the SEN Improvement Test would be met particularly in such small bases being able to meet the complex needs of children. It is difficult to see how a broad and balanced curriculum could be accessed with such small units which could get smaller depending on numbers of children and parental preference. It would appear there is little interest in this option and is likely not to be seen as a viable local offer for Wirral.

Close The Lyndale School and open a PMLD Base on the new Foxfield Site

Some parents have expressed a strong wish for their children to go to Foxfield School should The Lyndale School close, and whilst there can be no presumption that a group of children can be automatically transferred into another school, this could potentially be offered as a choice for parents to consider.

Admitting pupils of primary age from The Lyndale School to Foxfield School on a permanent basis would result in an alteration of the lower age limit of pupils at Foxfield School and this would amount to a prescribed change under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and is therefore an alteration to which the formal statutory consultation requirement would apply.

If the age range at Foxfield School is changed the admission arrangements and admission numbers will need to be reviewed. Admission practices and criteria must be reasonable, clear, objective, procedurally fair, and comply with all relevant legislation. Admission criteria which meet these requirements would mean that other pupils who are not former pupils of The Lyndale School could apply for places at Foxfield School. Regarding the current pupils attending The Lyndale School it is important to re-state that the Council will discuss the future of each child with each family separately in order for them to make a choice.

Overall this option could absorb the spare capacity at the school and offset a potential reduction of funding at Foxfield School of up to £190,000.

However the proposal to develop a primary PMLD provision on the site of a CLD secondary school does present some challenges. The general ethos of a school relates to the age range that the school supports, and since Foxfield School is a secondary school, the culture, age range of activities and curriculum are all appropriate to an 11 to 19 population.

Careful joint planning would be required to ensure that the specific needs of younger children were promoted by the governing body and throughout the school if this option was to progress, so that any child supported at Foxfield School would become part of the whole school community.

It is important to note that this option has the potential to have an impact on all provision for children with complex learning difficulties, and therefore, such an option would usually be progressed within the context of a wider review of services for children with complex learning difficulties.

This option would have the following Capital and Revenue implications:

Capital: The option would require additional works at the new Foxfield school to create a PMLD base. The works would take place once the new school is completed.

Revenue: In the summer term Foxfield School had 114 pupils in a 133 place school. The school may therefore have more places available than primary aged PMLD children who might transfer.

If there are 12 pupils who move into the base, then 2 additional classrooms would be needed. The estimated additional costs would be £180,000. Foxfield School would receive no additional place funding. The top up funding would be £192,000.

This exceeds the costs identified and may be a viable option, but it should be noted that small changes in pupil numbers could change this position.

This option has the potential to meet the SEN Improvement Test.

5.8 **Close The Lyndale School. Expand Stanley School and Elleray Park School to provide 220/230 places**

(Original Option 8 from Cabinet Report 16.01.14)

- Close The Lyndale School and expand Stanley School and Elleray Park School to provide 220/230 places
- Close The Lyndale School and expand either Stanley School or Elleray Park School

It is evident from the consultation process that some of The Lyndale School's parents do not want to send their children to either Stanley School or Elleray Park School. However these schools are the current primary provision for The Lyndale School's children should the school close. Both schools, as the local offer, can provide for children with PMLD and the Council is confident that all the necessary transition arrangements will be put in place to prepare for any transfer.

These options would have the following Capital and Revenue implications:

Capital: Additional works would be required at Stanley and Elleray Park

There are plans being implemented to increase capacity at Elleray Park School. That is, an increase of 4 class rooms to accommodate 110 children across the school.

Stanley School can accommodate additional pupils up to a total of 120. Discussions have taken place to consider adding an extension and looking at the configuration of the current spaces in the school. This is not conclusive and further discussion will need to take place with the school governors about this.

We have taken account of the concerns of parents in relation to the readiness of the school to admit to this additional capacity in September 2015 and more general

comments about timescales. Therefore the most appropriate closure date would be July 2016 rather than July 2015.

Revenue: This option produces a small overall surplus by transferring the ongoing pupil funding to the 2 remaining CLD primary schools and absorbing the 17 place reduction in funding.

The closure of The Lyndale School would reduce costs by £740,470. The ongoing additional costs in Stanley and Ellera Park would be the place and top up funding for 23 pupils, currently £537,000. In addition there would be a reduction of 17 High Needs Places of £170,000.

The net position would be a surplus of £33,470. This amount is The Lyndale School's inclusion funding. The sum could be shared across all remaining schools (£3,347 per school) or it could be included within the total amount available for top up funding across all schools.

This option provides a viable financial solution and is funded from within existing resources. In relation to these proposals the SEN Improvement Test can be met.

5.9 **Close The Lyndale School but retain the site making another school a split site school. The Lyndale School site would be retained for as long as felt necessary (New Option)**

- until children currently at the school had left
- until the receiving school no longer required it

It is extremely unlikely that this proposal could provide any long term stability. It is also unlikely that parents would have confidence in a short term provision. The risk of pupil numbers becoming so low making it too costly or the loss of permanent experienced staff may give cause for the Council to seek to close the school earlier. It would not be in the interests of children, parents or other schools to try to support an educational entitlement which clearly could not be met. Therefore, it would not meet the SEN Improvement Test. The Council should not seek to promote such a proposal as a future local offer to parents particularly when there are other good and viable schools.

This option would have the following Capital and Revenue implications:

Capital: There would be additional capital works at Stanley School and Ellera Park School, although these may be phased over a longer period.

Revenue: This option would defer the closure of The Lyndale School, numbers at the school would reduce over time as children leave but are not replaced. When all children have left the school would close.

The financial costs are modelled taking account of a reduction in classes at Lyndale. This is assumed from a reduction of 5 children by 2015-16 (1 class) a further 6 in 2016-17(2 classes) and 6 in 2017-18 (3 classes), following which the

school would close. At the end of this period the anticipated deficit for The Lyndale School would be £377,000.

There is no provision for this loss by the school which would need to be underwritten elsewhere. In order for this not to impact on the remaining provision for High Needs a source from outside the schools budget may be required.

6.0 CONSULTATION

6.1 A twelve week consultation period ran from 2nd April 2014 and closed on 25th June 2014. During this period the views of all interested parties were sought via the consultation document itself and through a series of public meetings held across the borough. A detailed review of the consultation can be found in section 3 of this report.

7.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

7.1 There are no previously approved outstanding actions that relate to this report.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no direct implications arising from this report.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 In 2014-15 The Lyndale School has set a balanced budget based on funding for 40 places and 23 pupils on the school roll. A future reduction in place funding to 23 pupils, if a lagged place system is introduced, would result in the school receiving a budget which is £170,000 less than currently. Using these numbers the school budget shortfall would increase by a similar amount each year thereafter. The position is not sustainable without additional resources being identified or impacting on the remaining special schools.

9.2 Of the options considered the closure of The Lyndale School and the expansion of Stanley School and Elleray Park would appear to be the most viable financial options.

9.3 Staffing: The Lyndale School currently employs 30 staff (21.21 FTE) teachers, teaching assistants and support. If the school closes their employment would cease. It is likely that successor schools would need to recruit additional staff to accommodate the needs of pupils transferring.

9.4 Assets: If the school closed the site would be declared surplus and would be considered for other purposes.

10.0 LEGAL IMPLICATIONS

10.1 The consultation process as outlined in the consultation section of this report has been designed to meet the necessary statutory requirements.

11.0 EQUALITIES IMPLICATIONS

11.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(a) Yes and impact review can be found via the following link:

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010-0>

12.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

12.1 If a school closes or there is an amalgamation of schools the relocation of pupils to other existing schools is likely to reduce the energy consumption of the whole school estate across the borough.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 Any alteration or addition to school premises would require relevant planning permissions and building control approval.

14.0 RECOMMENDATION/S

14.1 In January 2014 Cabinet agreed to undertake a consultation on the closure of The Lyndale School, the consultation closed in June 2014. This report recommends that Cabinet considers the contents of this report and makes a decision on this matter.

15.0 REASON / S FOR RECOMMENDATION/S

15.1 The Council has a responsibility to manage resources effectively for all schools and the school population. We would like to affirm our continued intention to work positively with the children and families affected by any recommendations, and reassure parents of our continued commitment to their child's wellbeing and education.

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APPENDICES

Appendix 1 – The Independent Consultant's Report

Appendix 2 – A Full Chronology Relating To Discussions Re The Future Of The Lyndale School

Appendix 3 - SEN Improvement Test:

Appendix 4 – The Consultation Document

Appendix 5 – Analysis Of The Public Meetings.

Appendix 6 – List Of Issues Raised At The Public Meetings

Appendix 7 – Notes Taken At The Public Meetings

BACKGROUND PAPERS/REFERENCE MATERIAL

No additional reference material has been used in the construction of this report.

BRIEFING NOTES HISTORY

Briefing Note	Date

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	16th January 2014
Coordinating Committee	27th February 2014

**Wirral
Children and Young People's
Department
Options for
The Lyndale School**

Contents

1. Introduction	Page 3
2. Scope	Page 3
3. Aim	Page 3
4. Methodology	Page 3
5. Executive Summary	Page 4
6. Commentary	Page 5
7. Options	Page 12
Appendix 1 – Documentation	Page 40
Appendix 2 – Schedule of Meetings	Page 42

1. Introduction

On 16th January 2014 Cabinet received a report from the Director of Children’s Services seeking agreement to hold a consultation on the closure of The Lyndale School. The report also contained a number of options and stated that during the consultation period all options and any new ones which might emerge during the consultation period would be considered. Cabinet agreed to begin consultation. This decision was “called in” to be re-examined by the Co-ordinating Committee on 27th February 2014. At the conclusion of this meeting the decision to begin the consultation was upheld.

2. Scope

This report will look at the options detailed in the Cabinet report and at any which have emerged during the consultation period.

3. Aim

To consider all options alongside the following:

- Viability and sustainability
- Quality and standards
- Diversity and pattern of parental preference
- Pupil numbers
- Financial implications and value for money
- SEN Improvement Test

4. Methodology

4.1. Documentation

Reports and documents were received and scrutinised during the course of the project (Appendix 1).

4.2. Meetings/interviews

A briefing meeting was held with the Director of Children’s Services and the Interim Senior Manager (SEN) and the Terms of Reference were agreed.

Appendix 1 – *The Independent Consultant’s Report*

Wirral Children and Young People’s Department - Options for The Lyndale School

An interview schedule was developed for meetings with appropriate officers and the relevant schools (Appendix 2).

5. Executive Summary

5.1. Overview

The Local Authority has a statutory duty to ensure that there are sufficient school places in the area with fair access to educational opportunity to promote the fulfilment of every child’s potential (Education Act 1996). In the case of a special school, where closure is being considered, the requirements of the SEN Improvement Test must also be met.

In 2013 a new system of funding was introduced by the DfE for the funding of High Needs pupils in schools, consisting of a base element per place and an additional top up based on individual pupil needs. This was a departure from the previous system of place led funding. In the future the Education Funding Agency will review place numbers in specialist SEN provision with the Local Authority to make provision more responsive to demand.

These national reforms have brought the The Lyndale School’s financial position into sharp focus. The three year projections for the School strongly suggest that with decreasing pupil numbers and a reduction in place led funding the school it is no longer viable or sustainable. This uncertainty about the school should not be allowed to continue as it is unsettling for children, parents and staff. A decision needs to be taken at the earliest opportunity.

After lengthy consultations, eight potential solutions have been put forward to address this issue and each has been considered in detail within this report.

5.2. Viable Options

In reality the only viable course of action is Option 7, to close the Lyndale School and expand Stanley School and Elleray Park School to provide 220/230 places.

Stanley and Elleray Park schools have both received good or outstanding Ofsted inspections which would suggest the standard and quality they provide is at least as good if not better than the Lyndale. The proposal is likely to lead to improvements in the standard, quality and/or range of educational provision for the children. It would offer potential for a more inclusive approach for children with PMLD and would be consistent with secondary provision for pupils with CLD in the Wirral.

Both Stanley and Elleray Park schools are currently financially viable. If the number of places at each of the schools is increased to the suggested levels, and should they receive any increase in funding as a result of pupil intake, the financial position of both schools will be healthy moving into the future and will ensure stability for years to come.

6. Background and Key Issues

6.1. Background

At a national level, the Children and Families Act 2014 makes provision to improve the quality of partnership working to meet the needs of children with special educational needs and their families.

“Wirral Children and Young Peoples Plan 2014 – 2016” sets out the Authority’s commitment to provide the very best outcomes for all children and young people. The partnership working of the Children’s Trust provides a local framework for ensuring that a service which values each child will continue and that this service will make the best use of resources.

The Local Authority has a statutory duty to ensure that there are sufficient school places in the area with fair access to educational opportunity to promote the fulfilment of every child’s potential (Education Act 1996). In the case of a special school, where closure is being considered, the requirements of the SEN Improvement Test must also be met.

In 2013 a new system of funding was introduced by the DfE for the funding of High Needs pupils in schools (“Place Plus”). Previous funding systems were heavily weighted towards funding places in schools regardless of the number of pupils attending. The new arrangement introduced a national system for the funding of specialist provision, with each school receiving an amount of £10,000 per place and an additional top up based on individual pupil needs. In the future, the Education Funding Agency (EFA) will review place numbers in specialist SEN provision with the Local Authority to make provision more responsive to demand. Wirral Schools Forum has been instrumental in developing a model to distribute top up funding across the Authority.

Over the last ten years the Authority has periodically reviewed the provision for children with complex learning difficulties (CLD) and profound and multiple difficulties (PMLD) in both primary and secondary settings. As a result several changes to provision have been effected in order to better provide for these children.

Between April and June 2014 the Local Authority undertook a major consultation about the closure of The Lyndale School. This included a comprehensive list of options to be considered regarding the future provision for those children currently attending the school should closure be the final outcome of the consultation.

As soon as a date had been set for the consultation, it was announced to parents and publicised through the media. The consultation document and details of meetings have been publicly available on the council’s website. The consultation included six public meetings scheduled at different times of the day and at different venues, to give as many people as possible the opportunity to attend. In addition, people were invited to offer their views in

writing without attending meetings. All responses will be considered by the Council as part of the consultation process.

6.2. Quality and Standards

The Lyndale School is a special school for primary aged children with complex learning difficulties (CLD). It is located in Eastham and is available to children across the whole of the Wirral. The majority of the children currently attending the school have profound and multiple learning difficulties (PMLD).

The Authority has two other special schools for primary aged children with complex learning difficulties (CLD), including provision for children with profound and multiple learning difficulties (PMLD). These are Stanley School in Pensby and Elleray Park School in Wallasey and they too serve the whole of the Wirral. All three schools have received good or outstanding Ofsted inspections.

Table 1 Summary Ofsted Information for 3 CLD Primary Schools

	Elleray Park School	The Lyndale School	Stanley School
Date of inspection	December 2010	November 2012	April 2013*
Achievement of pupils	Outstanding	Good	Good
Quality of teaching	Outstanding	Good	Good
Behaviour and safety of pupils	Outstanding	Outstanding	Outstanding
Leadership and management	Outstanding	Good	Outstanding
Overall effectiveness	Outstanding	Good	Good

* Stanley inspection carried out prior to move to new building.

6.3. Pupil Numbers

According to the Wirral School Census Pupil Count in January 2014, 401 children (0.8% of the total school population) attended a Complex Learning Difficulties (CLD) primary or secondary special school. Early Years professionals have forged strong links with their Health counterparts who continue to provide a clear and accurate picture of the number of children being born in the area and of the incidence of children with SEN so that detailed planning to support these families can begin as soon as possible.

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

**Table 2 Special School Places and Current Numbers
July 2014**

	Admission Places Jan 2014	Pupil Numbers Jan 2014 Census	Pupil Numbers July 2014 Actual
Elleray Park	80	92	94
Lyndale	40	23	20
Stanley School	90	98	100
Total Primary	210	213	214
Foxfield	133	117	115
Meadowside	75	71	72
Total Secondary	208	188	187
Total	418	401	401

6.4. Diversity and parental preference

The Authority has two special schools for secondary aged children with CLD, including provision for children with PMLD. These are Foxfield School in Moreton and Meadowside School in Woodchurch and both schools serve the whole of the Wirral.

Primary aged children with CLD can attend one of three primary special schools Elleray Park School, The Lyndale School and Stanley School and they can all provide for children with PMLD. The Authority has maintained 210 places across the three schools for children with CLD and has increased this to 220 from April 2014.

In September 2013, Stanley School moved into new purpose built premises in Pensby. It currently has 90 places, but can accommodate 110/120 pupils without further extension work. Elleray Park School in Wallasey currently has 90 places, but planned building work will mean that it can accommodate 110 pupils by September 2015. The Lyndale currently has 40 places.

Children with CLD usually receive free transport to school, so their home address does not necessarily dictate which school they attend. Parents can make a choice according to the school offer and the needs of their child.

There are 64 children (0.1% of the total school population) shown on the Census with PMLD as a special need. 59 of these attend a special school and the remaining 5 attend a mainstream school.

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

Table 3 January Census 2014

Selected Primary and Secondary Special School Pupil Numbers.

School	SEN Need Types												Numbers on Roll	
Special Schools	SPLD	MLD	SLD	PMLD	BESD	SLCN	HI	VI	MSI	PD	ASD	OTH		
Elleray Park			77	15										92
Stanley School	2		93		1	1					1			98
Lyndale School	1		4	18										23
Foxfield	1	2	94	15	1			2			2			117
Meadowside		1	58	11	1									71
Total	4	3	326	59	3	1	0	2	0	0	3	0	0	401

Need Types	
SPLD	Specific Learning Difficulty
MLD	Moderate Learning Difficulty
SLD	Severe Learning Difficulty
PMLD	Profound & Multiple Learning Difficulty
BESD	Behaviour, Emotional & Social Difficulties
SLCN	Speech, Language and Communication Needs
HI	Hearing Impairment
VI	Visual Impairment
MSI	Multi-Sensory Impairment
PD	Physical Disability
ASD	Autistic Spectrum Disorder
OTH	Other Difficulty/Disability

6.5. Financial Position

Table 4 January School Census Pupil Numbers and Places for the last three years

Year	Elleray Park		Lyndale		Stanley		TOTAL	
	Places	Pupils	Places	Pupils	Places	Pupils	Places	Pupils
2011/12	75	85	45	28	90	86	210	199
2012/13	75	91	45	25	90	91	210	207
2013/14	80	92	40	23	90	98	210	213
2014/15	90		40		90		220	

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

The national reforms to the funding of high needs SEN places in special schools have brought The Lyndale School’s financial position into sharp focus. Both Elleray Park and Stanley primary schools are maintaining or increasing their numbers year on year as a result of parental choice. This brings with it a consistency in terms of funding and ensures the viability and sustainability of the schools.

The financial situation at the Lyndale School is deteriorating as pupil numbers decrease. Locally the proposed banded system of top-ups will provide a higher rate of funding for pupils with high dependency PMLD. This banding, Band 5 which is a top-up of £16,000 per pupil, applies to all 4 Special Schools currently with children with PMLD. However, alongside these changes to the funding system the Lyndale School faces difficulties in terms of its small size.

At the latest check by the Local Authority on 3rd July 2014, pupil numbers at The Lyndale School had fallen to 20. In future the Education Funding Agency (EFA) will review place numbers in specialist SEN provision with the Local Authority to make provision more responsive to demand. Any single place reduction will represent a loss of £10,000 to the base budget of specialist SEN provision. A reduction of place funding, if aligned with current places at The Lyndale School, could represent reduction in budget of £200,000. In addition, two children are scheduled to move to secondary provision at the end of term and one other child at the end of the autumn term.

Table 5 2013-14 Illustration of cost of providing places in Wirral Complex Learning Difficulties (CLD) special schools

School	Adjusted 2013-14 Budget*	Places	Pupil Census Jan 2014	Average Cost per Pupil
Elleray Park	£1,546,820	80	92	£16,813
Foxfield	£2,327,034	133	117	£19,889
Lyndale	£761,733	40	23	£33,119
Meadowside	£1,351,179	75	71	£19,031
Stanley	£1,627,282	90	98	£16,605

* Budgets have been adjusted to take account of increased/reduced funding arising from pupil number changes.

6.6. SEN Test

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 ensure that proposals:

- i. take account of parental preferences for particular styles of provision or education settings;
- ii. take account of any relevant local offer for children and young people with SEN and disabilities and the views expressed on it;
- iii. 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;
- iv. 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;
- v. 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;
- vi. 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;
- vii. ensure appropriate provision for 14-19 year-olds; and
- viii. 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.

6.7. Viability and sustainability

Viability

In general terms, viability means that an activity is capable of being done in a practical and useful way. The viability of an organisation is measured by its long term survival, and its ability to have sustainable profits over a period of time. If an organisation is viable, it is able to survive for many years, because it continues to make a profit year after year. The longer an organisation can stay profitable, the better its viability.

In the case of a public sector organisation, this means working within a defined budget and ending the financial year having done so. An organisation shows its viability by achieving this position year on year.

Sustainability

In general terms, sustainability means the ability to maintain or support an activity or service over the long term at a defined rate or level.

The sustainability of an organisation is the management and co-ordination of environmental, social and financial demands and concerns to ensure responsible, ethical and ongoing success.

Specifically, a local authority seeking a viable alternative to a financially unsustainable situation is obliged to consider alternatives that would provide a similar benefit at a reasonable cost.

7. Options

7.1. Retain Lyndale School and school commits to take full range of CLD. Stanley and Elleray Park admissions kept to place numbers

(Original Option 1 from Cabinet Report 16.01.14)

- Retain Lyndale School and extend to full range of CLD
- Retain Lyndale School and Stanley and Elleray Park admissions are kept to place numbers
- Retain Lyndale and change funding bands (New option)

7.2. Lyndale becoming a 2-19 all through school

(Original Option 2 from Cabinet Report 16.01.14)

7.3. Federate (hard or soft) with another school with Lyndale remaining on current site

(Original Options 3 & 4 from Cabinet Report 16.01.14)

- Federate with another special school
- Federate with another primary or secondary school

7.4. Co-locate Lyndale School with another special school

(Original Option 5 from Cabinet Report 16.01.14)

- Co-locate with another special school
- Co-locate and federate with another special school (New Option)

7.5. Lyndale becoming an Academy/Free School

(Original Option 6 from Cabinet Report 16.01.14)

7.6. Close Lyndale School. Open two SLD bases in Primary schools for 6/8 pupils each. Expand Elleray Park and Stanley schools to 100 each

(Original Option 7 from Cabinet Report 16.01.14)

- Close Lyndale
- Close Lyndale and open SLD bases in two primary schools

Appendix 1 – *The Independent Consultant's Report*

Wirral Children and Young People's Department - Options for The Lyndale School

- Close Lyndale, open SLD places in two primary schools and expand Elleray Park and Stanley to 100 each
- Close Lyndale and open a PMLD base on the new Foxfield site (New option)

7.7. Close Lyndale. Expand Stanley/Elleray Park schools to provide 220/230 places

(Original Option 8 from Cabinet Report 16.01.14)

- Close Lyndale and expand Stanley and Elleray Park to provide 220/230 places
- Close Lyndale and expand either Stanley or Elleray Park

7.8. Close Lyndale School but retain the site making another school a split site school. The Lyndale site would be retained for as long as felt necessary

(New Option)

- until children currently at the school had left
- until the receiving school no longer required it

7.1 Retain Lyndale School and school commits to take full range of CLD. Stanley and Elleray Park admissions kept to place numbers

- Retain Lyndale School and extend to full range of CLD
- Retain Lyndale School and Stanley and Elleray Park admissions are kept to place numbers
- Retain Lyndale and change funding bands

Over a number of years pupil numbers at the Lyndale School have decreased. At the latest check on 3rd July 2014, pupil numbers at the school had fallen to 20 with a further 3 children moving into the secondary sector in the next academic year. It is anticipated that 2 children will join the school in September 2014 meaning that pupil numbers will then be 19. At the end of July 2015 2 more pupils will move to secondary leaving 17 on roll. Existing funding arrangements dictate that the Lyndale School is not viable with this small number of pupils.

In 2013 -14 the school set a budget for the year based on School Funding of £761,733 by using all accumulated balances brought forward of £51,707. At the end of the financial year a surplus of £3,964 was recorded. Without the balances the school would have incurred a deficit of £47,743.

In 2014-15 the school has set a budget for the year based on School Funding of £794,480 by using the balance brought forward of £3,964. This included individual pupil funding for 23 pupils who were included in the School Census Pupil Count in January 2014. However, as the numbers of children has decreased, the amount available for ‘top up’ funding for individual children in both the Autumn and Spring terms will be reduced accordingly. In February when the budget for 2014 was being prepared the projected deficit at the end of the financial year was anticipated to be £110,919. Although the school eventually managed to set a balanced budget, it is anticipated that it will incur a deficit by the end of the financial year as a result of a reduction in actual pupil numbers.

On an annual basis, three year projections are produced for each school so that the Headteacher, governors and the Local Authority are able to see the anticipated financial position of the school. The projections for the Lyndale School show that with decreasing pupil numbers and a reduction in place led funding in response to government requirements, the school will fall into an irreversible downward spiral in terms of viability and sustainability.

There are several additional factors which need to be considered. Due to its nature, the school maintains high staffing levels and relatively high salary

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

levels which account for 78% of the overall budget. There appear to have been no reductions in support staff to reflect the reduction in pupil numbers.

The building requires some upgrading. Many of the resources and some of the equipment need to be refreshed and updated.

The school places a high emphasis on care and support for pupils’ wellbeing, in fact the latest Ofsted report judged the school to be ‘outstanding’ for behaviour and safety. However, with such a small number of children, social interaction, aspirations of children and aspirations of parents could all be limited within the confines of a school providing specialised education and therapeutic approaches.

- **Retain Lyndale School and extend to full range of CLD**

The Lyndale School is classed as a CLD primary school; this means that should parents choose, it can currently provide a place for any child with CLD. Over time the school appears to have evolved into provision mainly, although not exclusively, for children with PMLD. However, it does not attract all the children in the Authority who are classified as PMLD, nor does it attract many children who are classified as CLD. Many parents choose other schools for their children.

Table 6 January Census 2014

Selected Primary Special School Pupil Numbers.

School	SEN Need Types												Numbers on Roll
	SPLD	MLD	SLD	PMLD	BESD	SLCN	HI	VI	MSI	PD	ASD	OTH	
Elleray Park			77	15									92
Stanley School	2		93		1	1					1		98
Lyndale School	1		4	18									23
Total	3		174	33	1	1	0	0	0	0	1	0	213

The school has the capacity to accommodate 40 pupils. If the place numbers were held at 40 the core funding would be £400,000, however the individual pupil funding would only reflect the actual number of pupils in school in September. This is anticipated to be 19 children.

The Local Authority cannot direct children to the school when 2 other primary special schools can offer provision for CLD and PMLD. Parental choice will apply and parents may still choose Elleray Park or Stanley schools.

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

The avoidance of pupil disruption is important. Once a child is settled in a special school, it is unlikely that parents will move their child unless they are not satisfied with the existing provision. Even in the best case scenario pupil numbers will not increase at the Lyndale School until September 2015 and even then admission numbers to primary CLD schools are not high. In September 2014 it is expected that 21 pupils will start at one of the CLD schools and that 4 will be classified as PMLD.

Current staffing levels at the school will accommodate more children, but the current position of very high teaching assistant (TA) support will change. At the moment parents’ expectations include a minimum of 1:1 support and in some cases an even higher ratio.

Should the school take on a broader range of pupils with CLD, the ‘top up’ for those children is likely to be in lower funding bands than existing children at the school. Funding for Lyndale School becomes more difficult as more occupied places at lower funding may not reduce the deficit.

In order to facilitate this option, financial protection will be required for several years at Lyndale School. It is anticipated that a school specific top up will be required and this is not consistent with local policy. Other schools demonstrate better value.

- **Retain Lyndale School and restrict places at Elleray Park and Stanley**

In addition to the arguments listed above, the following applies:-

In terms of capacity:-

Table 4 January School Census Pupil Numbers and Places for the last three years

Year	Elleray Park		Lyndale		Stanley		TOTAL	
	Places	Pupils	Places	Pupils	Places	Pupils	Places	Pupils
2011/12	75	85	45	28	90	86	210	199
2012/13	75	91	45	25	90	91	210	207
2013/14	80	92	40	23	90	98	210	213
2014/15	90		40		90		220	

Towards the end of the summer term a further check was made with each school:-

- Stanley now has 100 children (9.06.14)
- Elleray Park now has 94 children (12.06.14)
- Lyndale now has 20 children (3.07.14)

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

Stanley School relocated in September 2013 into new accommodation, built subject to current DfE requirements for special schools. It has been equipped for children with CLD, including those with PMLD. It has 12 large classrooms and within each class base there are group rooms, storage and toilets. There are also specialist facilities pertinent to the needs of the children, i.e. hydrotherapy pool, medical facilities, sensory facilities. Based on the current pupil: classroom ratio, 120 pupils would be accommodated in the school in its present form.

Elleray Park School currently caters for a number of pupils with PMLD, so already has specialist facilities. The site will lend itself to restricted new building accommodation and capital finance has been identified for Phase I which is currently in design stage. Completion date of Phase 1 is September 2015. This will create 4 new classrooms, resource space, storage, toilets and a hygiene room, bringing the total number of classrooms to 11, which could accommodate 110 children.

Restriction of places at either of the schools will restrict parental choice. This may result in appeals by parents to the SEN Tribunal. Restriction of places also goes against Government policy which encourages the expansion of popular schools. Should children with PMLD be prevented from attending one of the named schools, the schools would attract children from a lower funding band resulting in reduced individual funding and a reduction in school budget.

- **Retain Lyndale and change funding bands**

In addition to the arguments listed above, the following applies:-

Any suggestions for change to funding bands will need to be considered for the whole of the sector and not just for the Lyndale School. When the new funding model was introduced in April 2014 it was agreed that it would be kept under review. However, it is unlikely to be reviewed until it has been in operation for at least 12 months so that the impact of the model can be studied across a full financial year.

SEN Improvement Test

Not needed as no change proposed.

However, the revised budget position at 31.03.16 is £168,000 deficit. It is not possible to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of

Appendix 1 – *The Independent Consultant’s Report*

Wirral Children and Young People’s Department - Options for The Lyndale School

educational provision for the children at the Lyndale given this financial position.

7.2 Lyndale becoming a 2-19 all through school

In April 2009, the Authority commissioned a feasibility study into the possible creation of a 2-19 school for children and young people with PMLD. This was undertaken in collaboration with the Headteacher and governors of The Lyndale School who were the main proponents of this option. The report was a detailed study of whether the creation of such a school would be feasible, desirable and viable. It was presented to Cabinet in June 2010 and concluded that no case could be made for the creation of a 2-19 school for pupils with profound and multiple learning difficulties.

Some work has been undertaken to address wider issues raised by the study in terms of improved information for parents, transition arrangements and the need to develop a comprehensive strategy. However, the main findings of that report appear still to be valid.

The majority of pupils with PMLD on Wirral are currently educated within the broader CLD schools. There is evidence that these children’s needs are being appropriately met within existing provision.

The Authority has two special schools for secondary aged children with complex learning difficulties (CLD), including provision for children with profound and multiple learning difficulties (PMLD). These are Foxfield School in Moreton and Meadowside School in Woodchurch and both serve the whole of the Wirral. Both schools have been rated good by Ofsted, with outstanding features, and are well regarded by parents. Foxfield will move to a new site in January 2015 and has been constructed in line with current DfE requirements. Meadowside is already well equipped to support pupils with PMLD.

Table 7 Summary Ofsted Information for 2 CLD Secondary Schools

	Foxfield School	Meadowside School
Date of inspection	October 2012	October 2012
Achievement of pupils	Good	Good
Quality of teaching	Good	Good
Behaviour and safety of pupils	Good	Good
Leadership and management	Good	Good
Overall effectiveness	Good	Good

Appendix 1 – The Independent Consultant’s Report

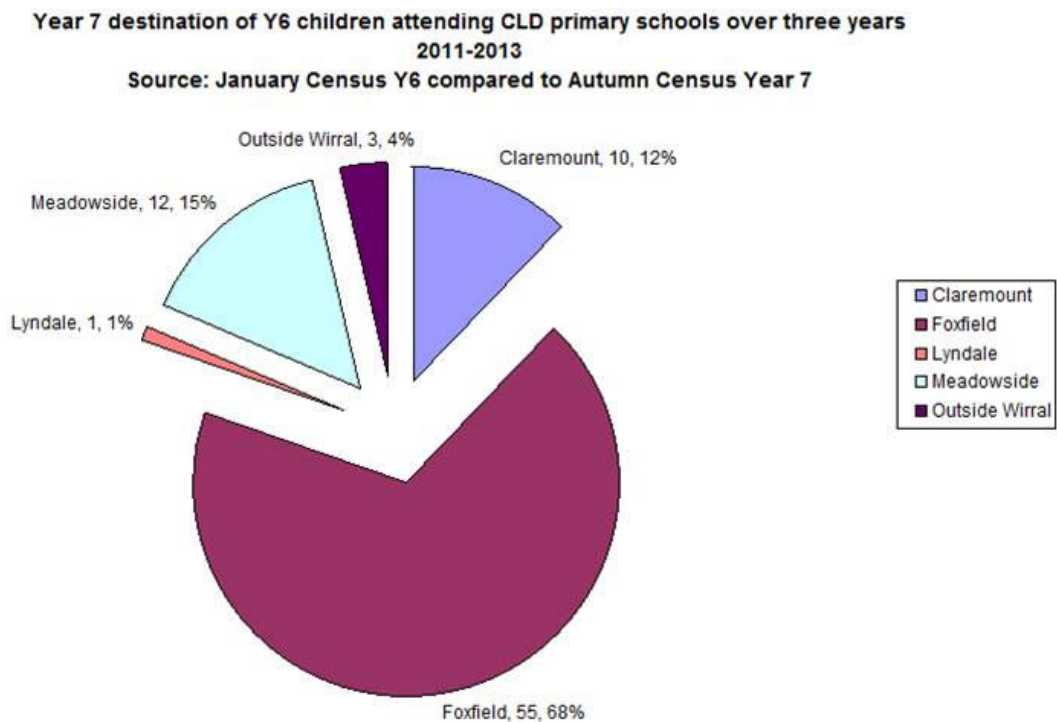
Wirral Children and Young People’s Department - Options for The Lyndale School

The transition arrangements for children transferring from the three CLD primary schools to either Foxfield School or Meadowside School are fully comprehensive.

The Lyndale parents remain supportive of the proposal for a 2-19 PMLD school. There is little parental support from parents of children at the other two CLD primary schools for the creation of a 2-19 provision for PMLD. There is no evidence to suggest that a sufficient number of parents would wish to opt for a specialised PMLD 2-19 provision for their children.

Evidence suggests that whilst all parents are naturally anxious at the time leading up to transition, pupils transfer without parents expressing significant dissatisfaction and the needs of the children and young people are met by the receiving school. It is unlikely that parents whose children have integrated into the secondary sector would wish for their children to undertake another transition if the Lyndale were to become a 2-19 provision.

Table 8



The numbers of children with CLD have increased slightly over the last five years and the authority is regularly monitoring the position. The numbers of children with PMLD have stabilised, with a higher incidence in the primary sector than in the secondary sector. At the beginning of July, pupil numbers

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

at the Lyndale had fallen to 20 with a further 3 children moving into the secondary sector in the next academic year. Not all these children would require a PMLD placement at secondary level.

The majority of 2-19 special schools across the country provide for children and young people exhibiting a wide range of need from severe to moderate learning difficulties and including children with autism, hearing impairment (HI) and visual impairment (VI), and behavioural and emotional needs. The schools are all viable due to the pupil numbers and diversity of special needs catered for.

A 2-19 PMLD school would provide a restricted environment for children and would mean that children could be in the same physical environment, with the same small group of children and staff with little or no change for over 17 years. Social interaction, aspirations of children and aspirations of parents could all be limited within the confines of a school providing specialised education and therapeutic approaches. The Ofsted report recognised that care and support for pupils’ wellbeing are outstanding at the Lyndale School; however it is unlikely that boundaries would be pushed in the same way as when children make the transition to a secondary environment with a more diverse range of children and experiences.

A 2-19 PMLD school would not be educationally viable until it had attracted at least 8/9 pupils per key stage. This would still give cause for concern regarding curriculum delivery and age appropriate groupings. Current numbers at Lyndale would not support this in the early years and it would take up to seven years for the current pupils to populate the secondary phase assuming new intake could be guaranteed in the primary phase. Even so, the numbers in each year group are very small, so the number of places would still only likely to be in the region of 48/50 at the end of the process.

To enable the school to operate efficiently and effectively as an all through 2-19 establishment, the leadership and management capacity would need to be enhanced.

A thorough assessment of the needs of secondary aged pupils with PMLD would be required to ensure that the accommodation, equipment and resources meet the needs of the prospective pupils. It is anticipated that this would result in a significant capital outlay. The assessment would also determine the additional staffing levels and expertise required to enable staff to deliver a secondary aged curriculum which meets the needs of prospective pupils.

The new funding mechanism no longer supports places in a school as it did in the past; it is now more geared at actual pupils. The school would not be financially viable and to sustain it would require funding to be diverted from

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

the remainder of the special sector. There is a major risk to the authority if it makes a considerable financial investment in a school which is then substantially underused.

Should a 2-19 specialist PMLD school be established, it could have a detrimental impact on the numbers of children transferring to Foxfield and Meadowside schools. Whilst pupil numbers in any one age group are low at the Lyndale School, any decrease in intake at secondary level is significant.

Perhaps more significant is that a specialist 2-19 PMLD could destabilise both Elleray Park and Stanley schools. If parents’ choices were influenced simply by the possibility of their children not having to make a transition at the age of 11, then the character and nature of both schools would be affected. Both schools are equipped with facilities for PMLD and would not be making the best use of resources if the facilities were no longer required.

Given the lack of broad support the creation of a 2-19 school for children with PMLD on the Lyndale site would be a high risk option. Recent history shows that very few parents want this provision, therefore it is difficult to make a case for the creation of a 2-19 school for pupils with profound and multiple learning difficulties.

SEN Improvement Test

The revised budget provision at 31.03.16 is £35,000 deficit. It is not possible to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for the children at the Lyndale given this financial position.

In the current context the option does not meet the following requirements:-

- take account of any relevant local offer for children and young people with SEN and disabilities and the views expressed on it; (ii)
- 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; (iii)
- 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; (vi)
- ensure appropriate provision for 14-19 year olds; (vii)

7.3 Federate (hard or soft) with another school with Lyndale remaining on current site

- Federate with another special school
- Federate with another primary or secondary school

Since the 2002 Education Act, local authority (LA) maintained schools in England have been free to collaborate with other schools in a variety of arrangements, including federation. There are two types of federation. A “hard” federation refers to a formal and legal agreement by which multiple schools have a single governing body that is formally constituted. A “soft” federation is a collaboration in which the governing bodies of schools remain separate.

Federation does not provide the clear financial autonomy and feeling of ownership that comes with academy status, nor is there the wealth of government guidance available for governing bodies considering federation that is available for those considering academies. However, according to Ofsted’s 2011 report ‘Leadership of more than one school’, there is some evidence that federation confers significant benefits in terms of pupils’ attainment, cost efficiency and governance. This is highlighted mainly when a successful school federates with a weaker school, where the greatest improvement is in teaching and learning, achievement, behaviour and attendance. One of the three main reasons for schools to federate is out of necessity rather than choice: the risk of closure of a small school.

The School Governance (Federations) (England) Regulations 2012 require all governing bodies considering federation to send their proposals to a number of stakeholders for consideration. This includes the Secretary of State, the local authority, the Headteacher, parents and staff of each school, the relevant Diocese and the wider community.

In the case of the Lyndale School, there are no obvious partners seeking federation from within the special, primary or secondary sectors. It is evident from relevant guidance that governors at the other school need to be positive about federation. The quest for federation must be governor led and there is no expression of interest at the moment.

The small size of the Lyndale means federation may not be viable. The pupil numbers and financial position of the school do not make it an attractive proposition. Any single place reduction will represent a loss of £10,000 to the base budget of specialist SEN provision. A reduction of place funding, if aligned with current places at the school could represent reduction in budget of £200,000.

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

At the latest check on 3rd July 2014, pupil numbers at The Lyndale School had fallen to 20. In addition, two children are leaving in July 2014 to move to secondary, one child is leaving in December 2014 to move to secondary. It is anticipated that two new children will start at the Lyndale in September 2014. This would mean that the school opens in September 2014 with 19 pupils. Individual banded funding will only be for those 19 pupils from September 2014. A further two children are due to move to secondary provision in July 2015. This reduction in pupils affects the individual ‘top up’ funding and many of the children at the school are within the top two bands, so the decrease in budget is significant.

The location of the Lyndale could also present challenges. Significant geographical issues can be identified, as the distance between the Lyndale and any other prospective school would make it difficult for fast travel between sites. It would be difficult to share staff effectively in this set of circumstances.

As the school would remain on the existing site, there would be no need for capital outlay. However the building is in need of some upgrading and the equipment and resources need replenishing. Resources from one school could be used to subsidise another, but it is difficult to determine how the Lyndale could make this arrangement work. There may be economies of scale in some areas, but on balance the other school would need to support the Lyndale for an indeterminate period.

The implications for the LA of a “hard” federation are that the two schools could appoint a single Headteacher thus making a saving, but the governors of both schools would have to agree to this process and the qualities sought in a Headteacher may differ depending on the type of school. The implications for a “soft” federation are that the appointment of a single Headteacher would also be possible, but the person appointed would be answerable to two possibly competing governing bodies.

SEN Improvement Test

The revised budget provision at 31.03.16 is £140,000 deficit. It is not possible to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for the children at the Lyndale given this financial position.

In the current context the option does not meet the following requirements:-

- take account of any relevant local offer for children and young people with SEN and disabilities and the views expressed on it; (ii)

Appendix 1 – *The Independent Consultant’s Report*

Wirral Children and Young People’s Department - Options for The Lyndale School

- 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; (iv)
- 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; (v)

7.4 Co-locate Lyndale School with another special school

- Co-locate with another special school
- Co-locate and federate with another special school

Co-location refers to schools sharing the same site, but remaining as separate schools, with distinct governing bodies and separate budgets. Some shared facilities can exist, but each school would pay a percentage of the cost. A good example of this is the new Stanley School which is co-located with a mainstream primary.

This proposal would necessitate another special school being a suitable candidate for co-location. The combined site would require sufficient space to accommodate new build to replace the existing Lyndale School, albeit for a smaller number of places than provided at the present. Any new build would be subject to planning restrictions and in some cases to the requirements of Sport England.

Several of the special schools have already been deemed unsuitable by the LA:-

- Claremount – adequate space exists, but the existing building and the ground conditions are poor
- Kilgarth – this site is not deemed suitable
- Gilbrook – this site is not deemed suitable
- Observatory – this site is not deemed suitable
- Hayfield – adequate space exists, but there are no pool or hydrotherapy facilities
- Orrets Meadow – adequate space exists, but there are no pool or hydrotherapy facilities
- Wirral Hospital School – the site is restricted due to its proximity to Birkenhead Park and there are no pool or hydrotherapy facilities

Four sites could be considered as possibilities, however significant capital outlay would be required at any of these special schools to create the required space in terms of rooms and facilities needed. Architectural advice would be required to facilitate a detailed exploration of each location.

- Stanley – reconfiguration of the new school would be possible, however it is already co-located with a mainstream primary.
- Elleray Park – reconfiguration of the school is possible, however new build is already planned (Phase 1) and any amendment to this would need to be in Phase 2.

Appendix 1 – *The Independent Consultant's Report*

Wirral Children and Young People's Department - Options for The Lyndale School

- Meadowside – a space analysis would be required, but there is possibly potential for a small specialist base to be built.
- Foxfield – there is the possibility of a 'unit' on adjoining land on the site of the new school.

Over a number of years pupil numbers at the Lyndale School have decreased. At the latest check on 3rd July 2014, pupil numbers at the school had fallen to 20 with a further 3 children moving into the secondary sector in the next academic year. It is anticipated that 2 children will join the school in September 2014 meaning that pupil numbers will then be 19. At the end of July 2015 2 further pupils will move to secondary leaving 17 on role. Existing funding arrangements dictate that the Lyndale is not viable with this small number of pupils.

In future the Education Funding Agency (EFA) will review place numbers with the Local Authority taking into account overall numbers in specialist provision. Place numbers would reduce to be more in line with actual numbers. It is likely that base funding will only be available for 20/25 pupils.

In instances of co-location, it is usual for the school to retain a Headteacher. Unless a review of teachers and support staff takes place, all staffing costs will remain however, pooling curriculum expertise may enable schools to deliver an enriched provision.

Capital outlay would be required whichever site is chosen, however the floor area would be reduced dramatically as it would not replicate the space at the Lyndale as that has capacity for 40 pupils. The new build would be designed to accommodate a more realistic number of children, in line with actual numbers. As a result running costs would be less and the school could share the costs of specialised facilities such as the hydrotherapy pool.

The Lyndale School places a high emphasis on care and support for pupils' wellbeing and was judged by Ofsted in 2012 to be 'outstanding' for behaviour and safety. However, with such a small number of children, social interaction is limited. On a co-located site this could be remedied. However, if there is no intended interaction between the 2 school populations, children will be isolated so co-location may offer no additional educational or social opportunities for Lyndale pupils.

Stanley School already provides for 2-11 children with CLD and has excellent PMLD facilities, with sufficient places for the children from Lyndale. Therefore, offering a co-location option would not represent best value.

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

Elleray Park School already provides for 2-11 children with CLD, including a significant number of children with PMLD. It will have some places available in September 2015. Consequently, offering a co-location option would not represent best value.

Meadowside School and Foxfield School both provide for 11-19 children and young people with CLD, including a significant number with PMLD. The opportunities for pooling expertise, sharing resources and co-working will be minimal given the different age ranges of the schools. Children will still make the transition to secondary provision at the age of eleven. However, if either Foxfield or Meadowside is the site chosen, then there may be significant implications for the remaining CLD secondary school when children move into the secondary phase. Parents may consider that transition will be easier if their children remain on the same site. This will have a detrimental affect on the remaining secondary school.

Sufficient capacity exists for primary children with PMLD and there can be little justification for the additional management and new build costs associated with co-location given the effectiveness of the current provision.

- **Co-locate and federate with another special school**

In addition to the points listed above, the following applies:-

There are no obvious partners seeking federation.

SEN Improvement Test

The revised budget provision at 31.03.16 is £81,000 deficit. It is not possible to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for the children at the Lyndale given this financial position.

In the current context the option does not meet the following requirements:-

- take account of any relevant local offer for children and young people with SEN and disabilities and the views expressed on it; (ii)
- 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; (iii)

Appendix 1 – *The Independent Consultant’s Report*

Wirral Children and Young People’s Department - Options for The Lyndale School

- 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; (iv)

7.5 Lyndale becoming an Academy/Free School

Academies are publicly funded independent schools that are not managed by a local authority. They can set pay and conditions for their staff and also change the length of their terms. Academies don’t have to follow the national curriculum. Academies are run by an academy trust, which is a charitable company limited by guarantee.

Maintained primary and secondary schools, special schools, alternative provision schools and 16 to 19 providers can all apply to become an academy. A school can convert on its own if it is performing well, with the support of a sponsor, or as part of a group of schools (an academy chain). A school cannot acquire or remove their faith character, expand, become mixed or single sex, or introduce selection as part of the conversion process.

Over a number of years pupil numbers at the Lyndale School have decreased. At the latest check on 3rd July 2014, pupil numbers at the school had fallen to 20 with a further 3 children moving into the secondary sector in the next academic year. It is anticipated that 2 children will join the school in September 2014 meaning that pupil numbers will then be 19. At the end of July 2015 2 further pupils will move to secondary leaving 17 on role. The school is not viable with this small number of pupils.

In 2013 -14 the school set a budget for the year based on School Funding of £761,733 by using all accumulated balances brought forward of £51,707. At the end of the financial year a surplus of £3,964 was recorded. Without the balances the school would have incurred a deficit of £47,743.

In 2014-15 the school has set a budget for the year based on School Funding of £794,480 by using the balance brought forward of £3,964. This included individual pupil funding for 23 pupils who were included in the School Census Pupil Count in January 2014. However, as the numbers of children has decreased, the amount available for ‘top up’ funding for individual children in both the Autumn and Spring terms will be reduced accordingly. In February when the budget for 2014 was being prepared the projected deficit at the end of the financial year was anticipated to be £110,919. Although the school eventually managed to set a balanced budget, it is anticipated that it will incur a significant deficit by the end of the financial year.

Should the school become an academy it will receive additional funding from the Education Services Grant, if they agreed to fund. The Authority has received recent notification that the amount per child will reduce from £595 to £332 from April 2015. This would amount to:-

20 children @£332 = £6,640
19 children @£332 = £6,308
17 children @£332 = £5,640

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

However, this injection of funding would not compensate for the reduction in place led funding due to the new funding scheme:-

Remain at 40 = £400,000
Reduce from 40 to 28 (12 places) = loss of £120,000
Reduce from 40 to 25 (15 places) = loss of £150,000

In addition the school would incur additional costs for bought in services e.g. insurance, accountancy, human resources. It is anticipated that these costs would more than absorb the additional funding.

It is envisaged that the school will continue to increase the deficit on an annual basis. Both the current and the projected financial position of the Lyndale School would indicate that pursuing the option of academy/free school status would not significantly improve the Lyndale’s financial profile.

Furthermore, the Lyndale School sponsors would be required to enable the school to convert. At this point in time no sponsors have been identified and given that the other 2 CLD schools have spare capacity, it could be argued that there is currently no market for an academy. There is also the additional possibility of governors not entering a commitment to take responsibility of the school under these circumstances.

SEN Improvement Test

This will be a matter for parents and the DfE to decide.

However, the revised budget provision at 31.03.16 is £170,000 deficit. It is not possible to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for the children at the Lyndale given this financial position.

7.6 Close Lyndale School. Open two SLD bases in Primary schools for 6/8 pupils each. Expand Elleray Park and Stanley schools to 100 each

- Close Lyndale
 - Close Lyndale and open SLD bases in two primary schools
 - Close Lyndale, open SLD places in two primary schools and expand Elleray Park and Stanley to 100 each
 - Close Lyndale and open a PMLD base on the new Foxfield site
-
- **Close Lyndale**

From September 2015 there will be sufficient capacity in Stanley and Elleray Park for all the primary children with CLD on the Wirral. Both schools are equipped for children with PMLD. If the decision were made to close the Lyndale School, parents would be supported to identify an appropriate setting for their child. By September 2015 it is anticipated that there will be 17 pupils at the Lyndale School. There are currently 6 children in Y4 who will be at the end of Y5 in July 2015. These children could make the transition to secondary at that stage with the agreement of the parents, the receiving school and the Local Authority. Disruption would then be minimised by effecting only one transfer at age 10 instead of age 11 for this group of pupils. The destination of the remaining pupils would be predicated on parental preference.

- **Close Lyndale and open SLD bases in two primary schools**

The current provision for primary children with SLD is within CLD schools where capacity is currently 220 meeting the needs of 214 children. At this time there is no evidence which shows that there is a demand for this specialist provision within the primary sector.

Securing engagement from primary schools may take time, and the LA would need to determine whether any mainstream primary school has an interest in hosting an SLD base on their site. The Authority has previous history of locating bases on mainstream sites, but not for children who fall into this category of need. The LA may enter into a consultation exercise with the primary sector and invite expressions of interest, bearing in mind that the proposal will need the agreement of all current providers.

Should any primary school express an interest, a feasibility study would be commissioned for each potential host school to identify the leadership and management arrangements, the financial position, quality and standards,

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

current numbers on roll, current capacity, potential disruption for current pupils, staffing requirements, build requirements, and start up costs. It may also be pertinent to consider against the Children and Young People’s Plan to ensure compliance.

By September 2015 it is anticipated that there could only be 11 children at the Lyndale School if the option to transfer the 6 children who will be at the end of Y5 to secondary is taken. The children would be added to the roll at the host school and inclusion opportunities could be developed. However, the specialist health services currently available to the special school sector may not be replicated and none of the primary schools contains a hydrotherapy pool. In addition, bases will not give the same freedom of space that the children currently enjoy in the Lyndale.

The host school would receive funding for children in the base at the same level as if they had been in a special school, so £10,000 per child plus the appropriate level of ‘top up’. The numbers of children would then be subtracted from the figures for the school which are used to calculate the school budget, so the school is not double funded. The school can then use the total budget across the school including the bases. However, the LA can propose targeted use of inclusion budgets.

- **Close Lyndale, open SLD places in two primary schools and expand Elleray Park and Stanley to 100 each**

In addition to the points listed above-:

Expanding Elleray Park and Stanley schools to 100 each can be readily achieved, however both schools have the capacity for more pupils. It is difficult to rationalise incurring the expense of bases in 2 primary schools and the expense of expanding Elleray Park and Stanley to accommodate the same group of pupils. The expansion of Stanley and Elleray Park schools to accommodate 220/230 pupils offers potential for a more inclusive approach for children with Severe Learning Difficulties (SLD)/Profound Multiple Learning Difficulties (PMLD). The model would then be consistent with secondary provision for CLD pupils in the Wirral and would achieve better value across specialist provision.

SEN Improvement Test

The revised budget provision at 31.03.16 is £26,530 deficit. It is not possible to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for the children at the Lyndale given this financial position.

In the current context the option does not meet the following requirements:-

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

- take account of parental preferences for particular styles of provision or education settings; (i)
 - take account of any relevant local offer for children and young people with SEN and disabilities and the views expressed on it; (ii)
 - 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; (iii)
 - 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; (iv)
-
- **Close Lyndale and open a PMLD base on the new Foxfield site**

In addition to the points listed above:-

Foxfield School currently provides CLD provision for children aged 11-19 and will move to a new site in January 2015. Locating a primary PMLD base on the same site would present several challenges.

There is the possibility of a building a unit on adjoining land at the site of the new school, however it would be subject to planning regulations and the requirements of Sport England. The establishment of a base would require new build, which would require significant capital outlay by the Local Authority. In order to meet EFA requirements in terms of taking account of overall numbers in specialist provision, the base would be designed to accommodate realistic pupil numbers, in line with current numbers at the Lyndale. It would therefore be considerably smaller than the current provision. Funding would be at £10,000 base rate per place, plus the appropriate amount of individual ‘top up’ funding.

Lyndale will close, but children attending the base would need to be on roll at a school. As the base would be adjoining Foxfield it might be natural to assume that this would be the appropriate school, but this presents serious issues as Foxfield is an 11-19 school. Attaching a primary unit to a secondary school is highly unusual.

The Headteacher and staff are all secondary trained with little or no experience of primary aged children. It would be inappropriate for the school to become 2-19 by default and a decision as critical as this would need authority wide consultation over a significant time period. No other provision

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

across the Wirral is 2-19. In addition a primary base restricted to children with PMLD does not follow the strategic pattern of the Authority’s provision. Schools are designated CLD and cater for children with a number of categories of special needs including PMLD, offering greater potential for a more inclusive approach for children.

Whilst there are specialist health services and a hydrotherapy pool on the site of Foxfield, children will need to cross the site and enter the main building to gain access. The opportunities for pooling expertise, sharing resources and co-working will be minimal given the different age ranges of the schools. Opportunities for social interaction may also be limited.

SEN Improvement Test

The revised budget provision at 31.03.16 is £26,530 deficit. It is not possible to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for the children at the Lyndale given this financial position.

In the current context the option does not meet the following requirements:-

- take account of parental preferences for particular styles of provision or education settings; (i)
- take account of any relevant local offer for children and young people with SEN and disabilities and the views expressed on it; (ii)
- 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; (iii)
- 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; (iv)

7.7 Close Lyndale. Expand Stanley/Elleray Park schools to provide 220/230 places

- Close Lyndale and expand Stanley and Elleray Park to provide 220/230 places
- Close Lyndale and expand either Stanley or Elleray Park

The most recent Ofsted inspection in November 2012 judged that the Lyndale School was a good school. The report recognised that:-

- care and support for pupils’ wellbeing are outstanding;
- behaviour and safety are outstanding
- partnerships with parents are outstanding

Primary aged children with CLD can attend one of three primary special schools Elleray Park School, The Lyndale School and Stanley School and they can all provide for children with PMLD. The Authority has maintained 210 places across the three schools for children with CLD and has increased this to 220 from April 2014.

Table 4 January School Census Pupil Numbers and Places for the last three years

	Elleray Park		Lyndale		Stanley		TOTAL	
Year	Places	Pupils	Places	Pupils	Places	Pupils	Places	Pupils
2011/12	75	85	45	28	90	86	210	199
2012/13	75	91	45	25	90	91	210	207
2013/14	80	92	40	23	90	98	210	213
2014/15	90		40		90		220	

Over a number of years pupil numbers at the Lyndale School have decreased. At the latest check on 3rd July 2014, pupil numbers at the school had fallen to 20 with a further 3 children moving into the secondary sector in the next academic year. It is anticipated that 2 children will join the school in September 2014 meaning that pupil numbers will then be 19. Two further pupils will move to secondary at the end of July 2015 leaving 17 on role. The school is not viable or sustainable with this small number of pupils.

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

- **Close Lyndale and expand Stanley and Elleray Park to provide 220/230 places**

Both schools have received good or outstanding Ofsted inspections. Ofsted would suggest the standard and quality they provide is at least as good if not better than the Lyndale.

Table 1 Summary Ofsted Information for 3 CLD Primary Schools

	Elleray Park School	The Lyndale School	Stanley School
Date of inspection	December 2010	November 2012	April 2013*
Achievement of pupils	Outstanding	Good	Good
Quality of teaching	Outstanding	Good	Good
Behaviour and safety of pupils	Outstanding	Outstanding	Outstanding
Leadership and management	Outstanding	Good	Outstanding
Overall effectiveness	Outstanding	Good	Good

* Stanley inspection carried out prior to move to new building.

Stanley School relocated in September 2013 into new accommodation, built subject to current DfE requirements for special schools. It has been equipped for children with CLD, including those with PMLD. It has 12 large classrooms ranging from 76m² in F1&2 to 66m² in KS1&2. Within each class base there are group rooms, storage, calming or toilets. There are also specialist facilities pertinent to the needs of the children, i.e. hydrotherapy pool, medical facilities, sensory facilities. Based on the current pupil: classroom ratio, 120 pupils would be accommodated in the school in its present form. If required, additional or reconfigured accommodation could be provided at a cost of between £500,000 and £750,000 depending on the required adaptations.

Elleray Park School currently caters for a number of pupils with PMLD, so already has specialist facilities. The site will lend itself to restricted new building accommodation and capital finance has been identified for Phase I

Appendix 1 – *The Independent Consultant's Report*

Wirral Children and Young People's Department - Options for The Lyndale School

which is currently in design stage. Completion date of Phase 1 is September 2015. This will create 4 new classrooms, resource space, storage, toilets and hygiene room, bringing the total number of classrooms for KS1&2 to 11, which could accommodate 110 children. Phase 2 options are being assessed to provide an additional storey which could accommodate a further 4 rooms for resources and storage, creating additional classrooms at ground level, and would require approximately £750,000 to complete.

The expansion of Stanley and Elleray Park schools to accommodate 220/230 pupils offers potential for a more inclusive approach for children with Severe Learning Difficulties (SLD)/Profound Multiple Learning Difficulties (PMLD). The model would then be consistent with secondary provision for CLD pupils in the Wirral and would achieve better value across specialist provision.

As a result of the combination of place led funding and individual 'top up' for actual pupil numbers, both Elleray Park and Stanley schools have set balanced budgets for the financial year 2014-15. They are both financially viable and any increase in funding as a result of pupil intake, will ensure stability for years to come. If the number of places at each of the schools is increased to the suggested levels in line with government policy regarding popular schools and should they admit further pupils from the Lyndale School, the financial position of both schools will be healthy moving into the future.

In September 2014 there will be a maximum of 19 pupils at the Lyndale and by September 2015 there will be 17. There are currently 6 children in Y4 who will be at the end of Y5 in July 2015. These children could make the transition to secondary at that stage with the agreement of the parents, the receiving school and the Local Authority. Disruption would then be minimised by effecting only one transfer at age 10 instead of age 11 for this group of pupils.

If this were to happen, significant attention could be concentrated on the 11 pupils who will remain on roll at the Lyndale. The Local Authority would need to undertake a detailed capacity mapping exercise to Elleray Park and Stanley Schools. During the course of the consultation, the Principal Educational Psychologist has worked with parents, the Headteacher and continuing care staff where appropriate to ensure a full extent of the children's needs are understood. In the event of a decision to seek permission to close the Lyndale School, further meetings with the parents of each child at the School would take place, parental preferences would be determined and transition arrangements put in place to minimise disruption for all pupils. It is expected that this process would commence as soon as a decision has been made by Wirral Cabinet in the Autumn term.

SEN Improvement Test

The revised budget provision at 31.03.16 is £33,470 surplus. It is possible to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for the children at the Lyndale given this financial position.

- **Close Lyndale and expand either Stanley or Elleray Park**

The significant point in this option is the concept of either school being expanded, but not both. This will restrict parental choice both in terms of choice of school and choice of model of provision.

In September 2015 only 17 pupils will remain on roll at the Lyndale School. There are currently 6 children in Y4 who will be at the end of Y5 in July 2015. These children could make the transition to secondary at that stage with the agreement of the parents, the receiving school and the Local Authority. Disruption would then be minimised by effecting only one transfer at age 10 instead of age 11 for this group of pupils.

Stanley School currently has 100 pupils on roll and can accommodate 120 pupils. Elleray Park School currently has 94 pupils on role and will be able to accommodate 110 pupils by September 2015. In theory, at that point, either school could offer provision for the remaining children from the Lyndale, however, expanding one and not the other may mean that parental preference is not met as they offer differing models of provision.

SEN Improvement Test

In the current context arguably the option does not meet the following requirements:-

- take account of parental preferences for particular styles of provision or education settings (i)

7.8 Close Lyndale School but retain the site making another school a split site school. The Lyndale site would be retained for as long as felt necessary

- until children currently at the school had left
- until the receiving school no longer required it

Over a number of years pupil numbers at the Lyndale School have decreased. At the latest check on 3rd July 2014, pupil numbers at the school had fallen to 20 with a further 3 children moving into the secondary sector in the next academic year. It is anticipated that 2 children will join the school in September 2014 meaning that pupil numbers will then be 19. At the end of July 2015 2 further pupils will move to secondary leaving 17 on role. Existing funding arrangements dictate that the Lyndale is not viable with this small number of pupils.

The proposal would require the governing body and Headteacher of another school being amenable to accepting the responsibility for the Lyndale children, buildings and staff for an indeterminate period of time, but possibly for up to 7 years. This would include taking on responsibility for the current and projected financial position. The current cost of provision for a child in the Lyndale is £33,119. The running costs of the Lyndale will remain and the will continue to incur a deficit.

Table 5 2013-14 Illustration of cost of providing places in Wirral Complex Learning Difficulties (CLD) special schools

School	Adjusted 2013-14 Budget*	Places	Pupil Census Jan 2014	Average Cost per Pupil
Elleray Park	£1,546,820	80	92	£16,813
Foxfield	£2,327,034	133	117	£19,889
Lyndale	£761,733	40	23	£33,119
Meadowside	£1,351,179	75	71	£19,031
Stanley	£1,627,282	90	98	£16,605

* Budgets have been adjusted to take account of increased/reduced funding arising from pupil number changes.

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

The Lyndale School places a high emphasis on care and support for pupils’ wellbeing and was judged by Ofsted in 2012 to be ‘outstanding’ for behaviour and safety. However, with such a small number of children, social interaction is limited. As the school will be split site with the intention of keeping the Lyndale pupils together, it is unlikely that there will be interaction between the 2 school populations, so children will be increasingly isolated as numbers fall. Therefore the proposal may offer no additional educational or social opportunities for Lyndale pupils. Allowing the ‘split site’ element of the host school to be run down over a period of time will not be in the interests of the children or of the staff. All the elements that have made the Lyndale a ‘good’ school may be compromised as numbers fall.

SEN Improvement Test

The revised budget provision at 31.03.16 is £143,000 rising to £266,000 by 31.03.17 and £377,000 by 31.03.18. It is not possible to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for the children at the Lyndale given this financial position.

In the current context arguably the option does not meet the following requirements:-

- take account of any relevant local offer for children and young people with SEN and disabilities and the views expressed on it; (ii)
- 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; (iii)
- 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; (iv)
- 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; (v)

Appendix 1 **Documentation**

- Wirral Council Cabinet 16th January 2014 - Report seeking approval to consult on the closure of The Lyndale School
- Consultation Document - The Lyndale School April to June 2014
- Primary Education in Wirral 2014-2015, Information for Parents
- Secondary Education in Wirral 2014-2015, Information for Parents
- Schools Forum Report 12th June 2006
- Schools Forum Report 31st January 2007
- Wirral Council Cabinet Report 15th March 2007- Review of provision and funding for pupils with PMLD
- Wirral Council Report 25th September 2008 – Improving primary school provision for pupils with CLD
- Wirral Council Cabinet 23rd April 2009 – Improving primary and secondary special school provision for pupils with CLD
- Wirral Council Cabinet 26th November 2009– Improving primary and secondary special school provision for pupils with CLD – progress so far and relocation of Stanley School
- Wirral Council Cabinet 24th June 2010 – Feasibility Study on the development of 2-19 provision
- Wirral Council Cabinet 12th July 2010 – Member’s questions following the Feasibility Study
- Wirral Council February 2011 – initiation of a review of the current provision for children and young people with PMLD
- Final Report 2011 - Consultation on services provided for children and young people with PMLD in Wirral
- Wirral Council 14th February 2011 – Approval for the replacement of Stanley and Elleray Park schools; continuation of investigations into the development of a 2-19 CLD provision; and the development of new build secondary (11-19), CLD school , catering for the full range of needs found within the CLD population, on split sites
- Wirral Council Cabinet 12th January 2012 – A review of Wirral’s provision for children and young people with PMLD
- Report on the PMLD Project Group’s Action Plan January 2012- December 2012 – September 2013
- School Organisation Maintained Schools (DfE)
Annex B: Guidance for Decision-makers January 2014
- The Road to Federation – National Governors’ Association 2013
- Letter to CLD Consultation Group Members – Final notes from CLD Workshop 24th February 2009
- Notes of the Public Consultation Meeting re the Lyndale School held at Elleray Park School on 7th April 2014
- Notes of the Public Consultation Meeting re the Lyndale School held at Williamson Art Gallery on 8th April 2014
- Notes of the Public Consultation Meeting re the Lyndale School held at The Professional Excellence on 10th April 2014

Appendix 1 – The Independent Consultant’s Report

Wirral Children and Young People’s Department - Options for The Lyndale School

- Notes of the Public Consultation Meeting re the Lyndale School held at Stanley School on 3rd June 2014
- Notes of the Public Consultation Meeting re the Lyndale School held at the Floral Pavilion on 9th June 2014
- Notes of the Public Consultation Meeting re the Lyndale School held at the Professional Excellence Centre on 16th June 2014
- Letter from the Director of Children’s Services to the Lyndale School parent governors dated 29th May 2014
- Letter from the Director of Children’s Services to the Lyndale School parent governors dated 25th June 2014
- Parents Document - Consultation re The Closure of The Lyndale School - March 2014
- The Lyndale School Consultation - Individual responses received by Wednesday 25th June 2014
- Wirral School Census Pupil Count January 2014
- Wirral School Census Pupil Count January 2013
- Wirral School Census Pupil Count January 2012
- The Lyndale School Final Budget 2014-15
- The Lyndale School Projected 3 Year Costs 2014-16
- The Lyndale School Projected 3 Year Costs 2015-17
- Stanley School Final Budget 2014-15
- Stanley School Use of Inclusion Funding 2012-13
- Elleray Park School Final Budget 2014-15
- Elleray Park Use of Inclusion Funding 2012-13
- Capital Allocations including Formula Capital for CLD schools from 1999-2000 to 2014-2015
- Year 7 destinations of Y6 children attending CLD primary schools 2011-2013
- Options Costing Schedule July 2014

Appendix 1 – *The Independent Consultant’s Report*

Wirral Children and Young People’s Department - Options for The Lyndale School

Appendix 2
Wirral Contact Schedule June/July 2014

Contact	Title
Phil Ward	Interim SEN Manager
Andrew Roberts	Head of School Funding, Resources & Universal Services
David Armstrong	Head of Universal Services CYPD & Assistant CX
Paul Arista	SEN Manager
Paul Atherton	SEN Officer
Sue Ashley	Senior Manager LMS
Mark Ellis	Senior Manager Information Technology
Sally Gibbs	Principal Officer Admissions & School Place Planning
Jane Cowden	Senior Manager MIS
Cathy O’Connor	Principal Educational Psychologist
Sue Talbot	Senior Manger School Improvement
Tony Newman	Head of Stanley School
Kim Owen	Head of the Lyndale School
Paula Wareing	Head of Meadowside School
Margaret Morris	Head of Elleray Park School
Andre Baird	Head of Foxfield School
Lyndale Parents	The Lyndale School

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Recent history of papers relating to primary CLD provision including PMLD provision

Cabinet 15 March 2007

Report to Cabinet recommending the approval of proposals discussed at the Schools Forum on 31 January 2007 relating to SEN arrangements.

Amongst other areas, the report considered places and numbers currently on roll at the Lyndale and Elleray Park School. Currently the Lyndale School is funded for 55 pupils and there are 40 on roll, Elleray Park School is funded for 60 pupils and currently has 72 on roll. The Governors of both schools requested a review of provision for schools for complex learning difficulties.

Cabinet agreed that consideration be given to initiating a review of provision and funding for pupils with profound and multiple learning difficulties and very challenging medical conditions.

(nb – during 2007 the head teacher from Foxfield Special School, Andre Baird, was seconded to undertake a review of special school provision).

Cabinet 25 September 2008

Report to Cabinet regarding improving primary school provision for pupils with complex learning difficulties.

The report summarises the outcome of informal discussions with head teachers, parents and other interested parties concerning the provision the authority makes for pupils in the three primary special schools for children with complex learning difficulties. It proposes that a more formal review of the options is undertaken. Summary of key issues in the report:

- Elleray Park / Stanley and the Lyndale School provide for a combined current population of 208 pupils – 83 Elleray Park; 91 Stanley and 34 the Lyndale;
- In spring Council agreed to increase the numbers of children at Elleray Park to 75 and reduce children from 55 to 45 at the Lyndale school over a 2 year period;
- All schools inspected in 2007/8 and all were outstanding.
- The Lyndale school opened in 1999 and is within a refurbished building; Stanley School is co-located with a mainstream primary, but is not wheelchair accessible, Elleray Park has restricted space.
- Whilst each school is designated as a generic CLD school, custom and practice has resulted in individual schools taking more pupils with a particular type of need.
- There was support amongst a group of parents at the Lyndale School to create a special school for children aged 2-19 with profound and multiple leaning difficulties.

Appendix 2 – A Full Chronology Relating To Discussions Re The Future Of The Lyndale School

Recommendations that (1) a formal review of the provision the Authority makes for primary aged pupils who have complex learning difficulties be approved – such a review would be completed in March 2009 when a further report would be submitted to Cabinet; and (2) the review would include a widespread consultation with all stakeholders and the assurance that any development would be an improvement on the current high quality provision.

Cabinet 23 April 2009

Improving Primary and Secondary Special School provision for pupils with complex learning difficulties.

Recommendations / Resolved:

That approval is given, in principal, to the replacement of Stanley and Elleray Park Schools by the development of two new build, primary (2-11) CLD schools, each co-located with a mainstream primary school and each providing for approximately 100 children and catering for the full range of needs found within the CLD population and,

To continue investigations and consultations regarding the development of a 2-19 CLD provision specifically for children who experience profound and multiple learning difficulties and who, by reason of medical / physical difficulties, may be considered particularly vulnerable. Under this proposal The Lyndale School will continue as presently until these investigations and consultations are completed and further reports to Cabinet are considered.

Cabinet 24 June 2010

Improving special school provision on Wirral for children and young people who experience complex learning difficulties – the feasibility of creating a 2-19 special school for children and young people who experience profound and multiple learning difficulties.

The feasibility study, led by a seconded officer, Graham Mount, reported to Cabinet on the development of a 2-19 provision.

Graham Mount's 30 page feasibility study report was commenced in June 2009 and completed in December 2009.

Resolution:

(1) Cabinet accepts the outcomes of the feasibility study, and the advice of the Director of Children's Services that there is no case to be made for the creation of a 2-19 school for pupils with profound and multiple learning difficulties;

(2) the Lyndale School continues to operate as primary school for children with complex learning difficulties.

Council 12 July 2010

Minute Reads:

(b) Councillor T Harney having given the appropriate notice in accordance with Standing Order 11 submitted the following question:

“The report referred to in minute 27 (Cabinet - 24/6/10) was based on an analysis of a suggestion by parents of a problem. The parents actually suggested a change in the age range catered for at the Lyndale School. This has not been dealt with. Does the cabinet member think it reasonable that the report does not deal with the underlying problem at all, that is the lack of a secondary school that would meet the needs of their children? Does she not feel that it is even worse that no attempt has been made to deal with the real concerns of parents that their children will not be able to have a safe and happy school experience in a school with a mixture of children with profound and multiple learning difficulties and children who are highly mobile and can exhibit challenging behaviour?”

Councillor Sheila Clarke, Cabinet Member for Children’s Services and Lifelong Learning, responded as follows:

“I would like to thank Councillor Harney for his question and to pay tribute to him as a staunch advocate for the Lyndale School, especially the parents and children. I would like to start by stating that Special Education is a part of our school provision that I believe Wirral should be proud of. This is a group of children and parents who need the best that we can offer. Ofsted have repeatedly told us over a number of years that our school provision is either Good or Outstanding and we should be grateful for the wonderful staff and governors who we have working in this area. However, this does not mean we should be complacent as there is always more to do for these important children and their families.

We have listened to parents and developed opportunities in mainstream schools when parents have wanted it by opening additional specialist resource facilities in our mainstream schools and have continued to allocate significant resources on an annual basis into our special schools. For this financial year the total resources given to Wirral Special Schools including standard funds is £15.5m and we expect to spend a further £3.4m on education in independent school provision for those very special children that it is difficult for any authority to provide for. In addition, we spend some £4m transporting special school children to school. This is approximately 10% of the total schools budget spend.

Turning to the specific question....

The proposal for the creation of a 2-19 special school for children and young people with profound and multiple learning difficulties arose from the early informal consultations regarding the improvement of special school provision for children and young people with complex learning difficulties and was put forward by parents and governors at the Lyndale School. It was this proposal

Appendix 2 – A Full Chronology Relating To Discussions Re The Future Of The Lyndale School

that was publicly consulted upon with a subsequent recommendation being made to Cabinet that the proposal should be examined further by means of a feasibility study.

The format, rationale and methodology of the study, including the definition of profound and multiple learning difficulties, was discussed with and agreed by the governing body of the Lyndale School. I am advised that at no point was the issue of simply extending the age range of the Lyndale School for its current pupil cohort raised.

The concerns expressed by some parents at the Lyndale school are referred to and recommendations for action are made in the report; these will be followed through. These include further work in the area of transition especially between primary and secondary and post 19. An invitation has gone to the Headteacher and Chair of Governors of Lyndale to discuss these matters and a joint development day across our five schools for children with complex learning difficulties is being arranged. In conclusion, we have no evidence from Ofsted or School Improvement Partners that the mixture of children with the most complex needs in our CLD schools leads any of them to be anything other than safe and happy. Indeed, those Elected Members from all parties that visited Foxfield and Meadowside were very complimentary about the provision available.

We have no evidence that we have a gap in our provision for secondary aged pupils with complex problems although we recognise that each year we will have a small number with very special needs who require provision outside of Wirral. Currently, out of 400 children we have 4 such children.

Finally, I am advised that the vast majority of year 6 pupils from the Lyndale School transfer successfully to Wirral's secondary CLD schools each year. Where parents feel this may not be the case, as articulated so well by the parent who spoke at the Cabinet meeting that there may be a perception amongst parents of the Lyndale School that this is not the case, then the authority is keen to engage in dialogue with parents to ensure that enhanced transition plans can be arranged.

For my part I have committed to meeting with a representative group of parents of children with Learning Difficulties on a regular basis in order to assure myself that we are being responsive."

Councillor Harney then asked a supplementary question, to which Councillor Clarke responded accordingly.

Council 14 February 2011

In response to a petition of 1,874 signatures:

Resolved (63:0) - That the Council initiates, as a matter of urgency, a thorough review of the current provision for children and young people with profound and multiple learning difficulties (PMLD) on Wirral. The review will

Appendix 2 – A Full Chronology Relating To Discussions Re The Future Of The Lyndale School

produce a comprehensive policy regarding the best ways to educate, support and care for these children and young people including transition from and provision during life beyond school. Parents will be fully involved in the planning and writing of this policy.

This review will be presented to Cabinet by the end of 2011.

Cabinet 12 January 2012

A review of Wirral's provision for children and young people with profound and multiple learning difficulties / disabilities

This is the review which was undertaken following the resolution in response to a petition submitted by the Mayor and Councillor Tom Harney.

The review was undertaken in two phases – phase 1 would be a review of the current services received by children and young people with PMLD and their families. Phase 2, if the recommendations (listed below) are accepted by Cabinet would consist of an update of identified policies, procedures and services in line with the recommendations.

The review of current services was carried out on the authorities behalf by the University of Chester, the executive summary was attached to the Cabinet report. The review identified a number of areas where changes could be made to services which would improve the quality of services received by parents. The recommendations listed address these areas and, if approved by members will be addressed in Phase 2.

11 recommendations were made in this report, and all were accepted for implementation by Cabinet. The recommendations concerned:

1. home to school transport;
2. the management of transition periods;
3. the development of an "information point";
4. consideration to how the role of the key worker might be developed;
5. reassuring parents of children in the 5 CLD schools about how their children's needs for safety, security and educational / development needs can be met;
6. keeping CLD schools under review regarding adequacy of physical environment and premises;
7. better methods of prioritising families planning applications;
8. broadening the remit of the working group to develop the Learning Disability Housing Plan;
9. the authority to engage with health and voluntary sector partners regarding incontinence and mobility aids;
10. review all assessment processes for children and young people with PMLD;
11. needs of children with PMLD being incorporated into the continuous development plan for people working with children and families with PMLD.

It was resolved that the above recommendations be approved and implemented and that parents should be involved in the process.

Report on the PMLD Project Group's Action Plan – January 2012 – December 2012. (report was not presented to a committee)

This report responds to all 11 action points and was completed in March 2013.

A copy of this report was circulated to the sponsor, Councillor Harney, and to project members, Council's lead member for CYPD, Wirral Family forum and special needs schools for circulation to their colleagues.

The review acknowledged that since its inception a radical reform of the national system of special educational needs by the government had been put into effect around the processes of identifying SEN, and around funding SEN. None of the recommendations dealt with by the group directly touched on the number of places in schools or how funding would operate.

Cabinet 16 January 2014

Report seeking approval to consult on the closure of The Lyndale School

Dawn Hughes, a parent of a child at The Lyndale School to addressed the Cabinet. She spoke of the particular needs of the children at The Lyndale School and gave a personal account of her own child's needs and experiences which she felt could only be provided for at The Lyndale School. She also circulated to the Cabinet a paper with comments from parents at the school and spoke against any proposals to close the school.

The report sought agreement to undertake a consultation on the closure of The Lyndale School.

The report outlined the background and reasons why it was felt necessary to consult on the future of the school. The closure of the Lyndale School was proposed for consideration because the viability of the school was compromised by its small size and falling roll, which both contributed to a difficult financial position.

The report also gave details of a twelve week consultation process which would commence if the Cabinet were to agree the recommendation.

The Leader of the Council thanked Dawn Hughes for her clear and insightful presentation. He stressed the importance of allowing sufficient time for all options to be considered and to keep an open mind on all these options. Eight

Appendix 2 – A Full Chronology Relating To Discussions Re The Future Of The Lyndale School

options had been identified in appendix 2 to the report and any other options which emerged during the consultation process would also be considered.

RESOLVED: That

(1) Cabinet agrees to consult on the closure of The Lyndale School;

(2) the Director of Children's Services (or her nominee) be authorised to compile and produce the appropriate Consultation Documentation and proceed with the Consultation exercise as soon as practicably possible.

Call-in - Coordinating Committee 27th February 2014

Cabinet Minute No. 129 - Report Seeking Approval to Consult on the Closure of The Lyndale School.

The decision was called-in by Councillors T Harney, P Gilchrist, J Green, I Lewis, C Povall and P Williams, on the following grounds:

The Cabinet was not given the full information to make a decision:

- The category of Complex Learning Difficulties (CLD) includes children with Profound and Multiple Learning Difficulties (PMLD) and children on the Autistic Spectrum. Their needs are different. This is not made clear.
- The School has been in discussion with the LA about its future for 8 years. The uncertainty has caused some parents to send their children elsewhere.
- The educational needs of the children are not analysed.
- In paragraph 2.8, the LA admits they have failed to consider the funding of the school over past years. The funding arrangements are, in reality, in the hands of the LA and, in fact, were agreed at the same time as this proposal.
- The argument about overheads ignores the present discussions between the Local Authority and Governors about reducing overheads.
- Table 2 does not discuss the different nature of the intakes of the 3 schools. This is misleading.
- The work done by Eric Craven on behalf of the LA looking at the needs of the PMLD pupils at the Lyndale and other schools has never been referred to.
- The resolution of the Council of February 14 2010 and the work done by the Local Authority following this have not been referred to, not even mentioned. This should have formed the context for the present decision.

Appendix 2 – A Full Chronology Relating To Discussions Re The Future Of The Lyndale School

The Committee considered the decision that had been made and determined, in the light of evidence presented at the meeting, the most appropriate course of action.

RESOLVED: (9:6)

That the Committee upheld the Cabinet's decision to go out to consultation on the closure of the Lyndale School.

Council on Monday, 14th July 2014

Notices of Motion

2. THE LYNDALE SCHOOL

Proposed by Councillor Paul Hayes

Seconded by Councillor Jeff Green

Council, having regard to the support given to the campaign to keep the Lyndale School open by the public of Wirral, resolves that:

1. It is the firm belief of Council that the Lyndale School should remain open, and in order to bring to an end the anguish and uncertainty suffered by pupils and their parents and carers, calls upon Cabinet to confirm that the school will remain open when Cabinet next meets.
2. Council recognises the unique and caring environment provided by the Lyndale School to children with profound and multiple learning difficulties. Council acknowledges the value of this provision and affirms its belief that such provision should remain at the Lyndale School.
3. Council instructs officers to work with the Wirral School's Forum in order to investigate how the funding of Wirral's Special Schools can more closely reflect the will of Wirral's residents, as expressed by the huge support given to the Lyndale School: that the quality and scale of provision for children requiring the services of special schools in Wirral should continually strive to improve and be in no way diminished.

Amendments to Notices of Motion

The Council is requested to consider the following amendments, submitted in accordance with Standing Order 12(1) and (9):

1. Notice of Motion – THE LYNDALE SCHOOL

Amendment

Proposed by Councillor Phil Davies

Seconded by Councillor Tony Smith

Appendix 2 – A Full Chronology Relating To Discussions Re The Future Of The Lyndale School

Delete paragraph 1.
Retain first sentence of paragraph 2.
Delete remainder of paragraphs 2 and 3.

Insert the following:

Council believes that it would be premature to take a view on the future of the Lyndale School without taking into account the outcome of the comprehensive consultation process which took place recently. Any statements in favour of a particular outcome run the risk of predetermination.

Council therefore notes the views contained in this motion and agrees to refer it to the special meeting of Cabinet on the 4th September. Cabinet will consider all options relating to the Lyndale School together with the outcome of the consultation exercise at that special meeting.

The amendment to the Notice of Motion was carried.

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SEN Improvement Test

When considering any re-organisation 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 ensure that proposals:

- i. take account of parental preferences for particular styles of provision or education settings;
- ii. take account of any relevant local offer for children and young people with SEN and disabilities and the views expressed on it;
- iii. 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;
- iv. 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;
- v. 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;
- vi. 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;
- vii. ensure appropriate provision for 14-19 year-olds; and
- viii. 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.

**School Organisation Maintained Schools
Annex B: Guidance for Decision-makers January 2014**

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Consultation Document

The Lyndale School

Contents

Introduction	4
- The consultation process	5
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Reasons for consultation	6
- Small schools	6
- Pupil numbers and places	7
- Changes to funding for pupils with special needs	8
- The impact on primary CLD schools	9
- The financial position at The Lyndale School	10
<hr/>	
Frequently asked questions	11
<hr/>	
Definition of terms	16
<hr/>	
The consultation	18
- Finding out more	18
- What are the next steps?	19
- Consultation meeting dates	20
- Have your say	20
- Feedback form	21
- Consultee list	23

Introduction

The Lyndale School is a special school for primary aged children with complex learning difficulties (CLD). The school is located in Eastham and serves the whole of Wirral. Many of the children currently attending the school have profound and multiple learning difficulties (PMLD). Ofsted's most recent inspection of the school in November 2012, judged that The Lyndale School was a good school, with outstanding features.

The option for closure of The Lyndale School is being considered because the viability of the school is compromised by its small size and falling roll, which both contribute to a difficult and potentially worsening financial position. There are currently 23 children attending the school. The national reforms to funding education for children with special educational needs (SEN) have brought The Lyndale School's financial position into sharp focus and these changes could have a significant impact on The Lyndale School. Therefore, the decision to consult is not based on the quality of educational standards of the school, but because of the cost of maintaining a small school with a falling roll.

This consultation is also based on the fact that there are two other schools in Wirral providing good and outstanding primary school provision for children with complex learning difficulties. Should The Lyndale School close, both of these schools will provide high quality care and education for the children currently educated at The Lyndale School.

It is important to note that the consultation about the future of the school is not linked to the Council's need to save money. Any savings made are redistributed to schools to invest in children and young people.

The Local Authority has a statutory duty to ensure that there are sufficient school places in our area with fair access to educational opportunity to promote the fulfilment of every child's potential (Education Act 1996). Across all Local Authorities in England over a period of years the range, number and needs of children and young people with special educational needs will change, so too will the cost of resources to support the provision required to meet children and young people's needs. Therefore, it's important that our local schools change to meet changing needs and numbers of children and young people.

Consideration about how to meet the needs of children and young people with special educational needs forms part of the Wirral Children and Young People's Plan 2013 – 20. This Plan sets out Wirral's commitment to provide the very best outcomes for children and young people. The partnership working of the Children's Trust, with its strong record of collaborative working with many partners, including children, young people and families provides a local framework for ensuring that a service which values each of our children will continue to be provided, and which makes the best use of available resources. At a national level, the new Children and Families Act 2014, makes provision to improve the quality of partnership working to meet the needs of children with special educational needs and / or disabilities, and their families.

Consulting on the closure of a school will inevitably cause concerns, in particular for children, parents, carers and school staff. The Local Authority is committed to working very closely with the children, their families and the schools throughout the process.

On 16th January 2014 Cabinet received a report from the Director of Children's Services which proposed to hold a consultation on the closure of The Lyndale School.

The report to Cabinet also contained a number of other options:

- Places being restricted at Elleray Park School and Stanley School so that more children were allocated to The Lyndale School
- The Lyndale School becoming a "2 to 19" all-through school specifically for children with Profound and Multiple Learning Difficulties (PMLD)
- Federation of The Lyndale School with either another special school, or with a mainstream primary school
- Co-location of The Lyndale School with another special school
- The Lyndale School becoming an Academy or Free school
- Closure of The Lyndale School combined with special needs bases opening in mainstream primary schools or additional places being provided in Elleray Park School and Stanley School

The Cabinet report noted that during the consultation period all options and any new options which might emerge during the consultation period would be considered.

Taking all the information into account, Cabinet agreed to begin consultation on the closure of The Lyndale School. The decision to begin consultation was "called in" to be re-examined by the Co-ordinating Committee on 27th February 2014. The Committee considered the history of decision making in respect of The Lyndale School, and at the conclusion of this meeting the decision to begin the consultation was upheld.

The Consultation Process

The sorts of considerations that are taken into account when consulting on closure of any school are set out below. They are not exhaustive and each case will have different circumstances and needs to be considered on their individual merits. Here are some of them:

- Viability and sustainability
- Quality and standards
- Diversity and pattern of parental preference
- Pupil numbers
- Financial implications and value for money
- Travel
- Buildings and site
- Implications for staff

The consultation will last for 12 weeks. Having considered the responses to the consultation including any other options that may have arisen, Cabinet will then decide whether the option for closure of The Lyndale School should proceed as a formal proposal, or if another option should be considered. If the closure of The Lyndale School is approved to proceed as a formal proposal, there would then be a further four week representation period where responses can be made.

In any option for change involving special educational provision, the proposed alternative arrangements must be likely to lead to improvements in the standard, quality and/or range of educational provision – the SEN improvement test. More information is given in the FAQ section of this document.

If the formal proposal is finally approved by Cabinet, then the school would close at the end of the Summer Term 2015, and those primary children attending the school would transfer to another school to continue their education from September 2015.

It is important to remember that a decision has not yet been made. Your views on this consultation are very important to us.

Reasons for consultation

Small Schools

There will be local factors why a small school should be maintained, for example a small rural special school may serve a very wide area.

However, small schools face the following problems:

- They have to spend more of their budget to pay staff and the fixed costs of running the school, like cleaning and rates. Small schools spend a high proportion of their budget on staffing, leaving far less for things like equipment and additional support assistants.
- If the numbers attending the school keep falling, the school could go into deficit. The Local Authority could amend the formula to give additional money to small schools, however, giving extra money to a smaller school also means that other schools have less money to spend on their own pupils, which is not fair to children at other schools.
- If a school has less money, eventually the school has to consider making staff redundant.
- With a smaller group of staff, each staff member has to take on additional responsibilities. This increases the workload on individual staff members. When staff move to another school or retire, this change can have a significant effect on the quality of the school.

Larger Schools

- Have more flexibility in their budget. Because they spend less in percentage terms on administration and fixed costs, larger schools have more money to spend on additional support staff, and resources such as equipment and books, to meet children's needs.
- Additional responsibilities need to be covered in a large school just as in a small school, but they can be shared between a larger group. This offers staff more flexible working. Staff members then have more time to plan, and develop their skills.
- A larger pool of staff means the school can offer a broader range of skills and expertise.
- They can provide more opportunities for staff development enabling them to develop and 'grow'. This helps explain why large stable schools can cope better with staff turnover.

Pupil numbers and places

In January 2014 there were 49,079 children registered on the Wirral School Census, including children and young people attending nursery classes and schools, special schools, bases and units, and excluding those attending Wirral Hospital School or Wirral Alternative School Provision. Of these, 401 (0.8%) attended a CLD primary or secondary special school. This includes 64 children (0.1%) who were shown on the Census with PMLD as a special need.

The numbers of children with CLD have been similar over the last five years, and there is not expected to be significant change over the medium term. Given the projected change in the overall Wirral pupil population there is likely to be only a small variation in the number of PMLD pupils.

Elleray Park School in Wallasey currently has 90 places for children with CLD. It will be able to accommodate up to 110 pupils through building work which is already approved to address sufficiency and suitability issues. The school already caters for children with PMLD, with 44% of all Wirral based primary age children with PMLD attending the school.

In September 2013, Stanley School moved into new purpose built premises co-located with Pensby Primary School.

Stanley School has 90 places, but can accommodate at least 110 pupils. If there was a trend for more children with CLD in the future, Stanley School could also accommodate another 5-10 additional pupils if needed without any extension to the building.

Taken together, these changes would give sufficient places across the two schools to meet the needs of all existing and future projected Wirral children with CLD.

Changes to funding for pupils with special needs

Until recently, funding for special needs pupils was heavily weighted towards funding places in schools, rather than funding individual pupils. This meant that special schools with more places than pupils still received full funding for the empty places.

In 2013 a new national system of funding was introduced by the Department for Education for the funding of High Needs pupils in schools. Under the new system, each school receives an amount of £10,000 per place, with an additional “top-up” based on the needs of the individual pupil. This is called “Place Plus” funding.

The Authority must review all specialist provision. The national Education Funding Agency intends that the number of places will broadly match the number of pupils. Schools with more pupils than the official number of places will receive additional funding for the additional pupils. Schools with unfilled, empty places, must plan for their funding to be reduced. Eventually the School Census and individualised learner records will form the basis of the “Place” part of the funding.

The top-up “Place Plus” funding is intended to recognise and reflect the additional support costs required to meet the needs of individual pupils, and takes into account the pupil’s individual needs, facilities and support requirements.

“Place Plus” funding in Wirral

As a transitional arrangement in the first year of introduction of the funding arrangements (2013-2014), the “Place Plus” funding element in Wirral was set at a specific rate for each school. This allowed time for a major funding review which has now been carried out with Wirral Schools Forum’s SEN Finance steering group.

The outcome of the review was that top-up funding would be allocated in bands, so that children with similar needs attending different establishments and settings would be funded at the same rate.

This applies to:

- Special schools (including independent/private schools)
- SEN resourced units and bases in mainstream schools
- Mainstream schools (including independent/private schools)
- Alternative provision, including behaviour bases and Wirral’s Alternative Schools Programme.

Representatives from all these groups were involved in the “Place Plus” funding review consultation in 2012 and 2013. One of the key features of the new system is a transparent and comparable funding methodology for students with High Needs, whatever the educational establishment they attend.

The top-up funding bands

Wirral Schools Forum agreed five funding bands for “Place Plus”, depending on the individual child’s assessed needs. This ranges from an additional £1,000 per child in Band 1, up to £16,000 per child in Band 5.

Children currently attending the Wirral CLD primary and secondary schools are all funded in either Band 3 (£7,000), Band 4 (£8,000) or Band 5 (£16,000).

Locally the agreed banded system of top-ups will provide a higher rate of funding for pupils with high dependency PMLD. This banding, Band 5 which is a top-up of £16,000 per pupil, applies to all special schools with children with PMLD. In addition, not all children attending The Lyndale School would be assessed as Band 5.

Details of how funding will be allocated are set out in the Cabinet report “Proposals for changes to school top-up payments for students with high needs” which is available on the Council’s website: www.wirral.gov.uk

The impact on primary CLD schools

The new funding arrangements will apply to all special schools including the three primary CLD schools. However, the impact on The Lyndale School will be significantly greater than the other two schools, Elleray Park School and Stanley School. This is because there is a greater difference at The Lyndale School between the number of places, and the number of pupils, and because it is a small school.

Year	Elleray Park		Lyndale		Stanley		TOTAL	
	Places	Pupils	Places	Pupils	Places	Pupils	Places	Pupils
2005/06	60	56	55	34	90	88	205	178
2006/07	60	77	55	26	90	82	205	185
2007/08	60	61	55	33	90	85	205	179
2008/09	75	64	50	27	90	78	215	169
2009/10	75	76	45	26	90	73	210	175
2010/11	75	78	45	29	90	73	210	180
2011/12	75	85	45	28	90	86	210	199
2012/13	75	91	45	24	90	89	210	204
2013/14	80	92	40	23	90	98	210	213
2014/15	90		40		90		220	
Average Actual Occupancy (05/06-13/14)	107%		58%		93%		90%	

Table 1. Occupancy at primary CLD schools by academic year from 2005/06 to 2013/2014, all ages including F1 (nursery) pupils. Pupils attending the school is at January Census.

The number of funded places at The Lyndale School has been reduced over recent years to make a better match with the number of children attending the school, however average occupancy has still been lower than at other CLD primary schools.

The financial position at The Lyndale School

In 2012-2013, the most recent fully completed financial year and the last year of the previous funding arrangements, Lyndale was being funded for 45 places, when just 24 children were attending the school. The average spend per pupil was very high compared with other CLD schools (Table 2).

School	Adjusted 2012-13 budget*	Places	Census attending school	Occupancy	Average spend per pupil
Elleray Park (p)	£1,521,698	75	91	121%	£16,722
Foxfield (s)	£2,340,134	138	124	90%	£18,872
Lyndale (p)	£794,526	45	24	53%	£33,105
Meadowside (s)	£1,339,618	75	72	96%	£18,606
Stanley (p)	£1,570,939	90	89	99%	£17,263

Table 2. 2012-13 Illustration of cost of providing places in Wirral Complex Learning Difficulties (CLD) special schools. (p) = primary; (s) = secondary. * Budgets have been adjusted to take account of increased/reduced funding arising from pupil number changes. Census date is January 2013.

2013-2014

For the current financial year, the transitional school-specific “Place Plus” funding was allocated. The school has set a budget for the current year based on School Funding of £761,733 with a **small deficit of £3,647**. This was achieved using all accumulated balances brought forward from a previous year of £51,707.

At the time of publication there is expected to be a **deficit at the year end in March of £12,313**. This has resulted from changes in staff costs and support services.

2014-2015

From April 2014 the five band “Place Plus” funding will be allocated. The school forecast is that there would be a deficit of **£19,000**. This budget deficit has the potential to increase in subsequent years by **£120,000 per annum** (every year), based on the numbers of children currently on the school roll.

Frequently Asked Questions

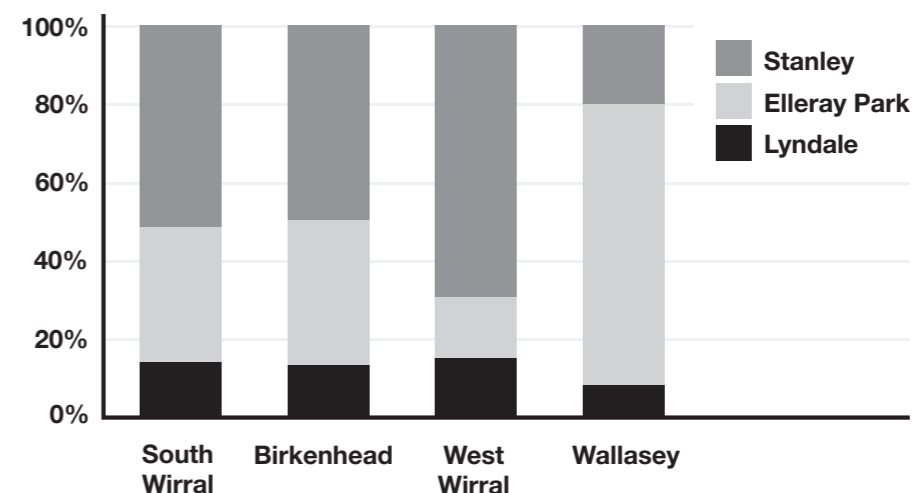
We have tried to provide helpful answers to questions that are likely to arise.

Q. Parental preference. Where do the children live, and where do they go to school now? Will there be more children with PMLD in future?

A. Because children with CLD generally receive free transport to school, their home address does not necessarily mean that they attend the nearest school to their house.

Analysis shows that the majority of children with CLD living locally to The Lyndale School in the South Wirral area (Bromborough, Eastham, Bebington, Spital, Port Sunlight) already attend one of the other two CLD primary schools.

Primary age CLD by home address - Wirral residents only & attending each school as at January - all ages



The number of children with CLD has been similar over the last five years, and there is not expected to be significant change over the medium term. Given the projected change in the total Wirral pupil population there is likely to be only a small variation in the number of pupils with PMLD.

Q. Quality and Standards. What are the standards of education like at other schools? Will children's education be enhanced?

A. There are currently three schools for primary aged children with CLD in Wirral. All three schools serve the whole of Wirral and can cater for children with a range of CLD including PMLD.

All three CLD schools have received good or outstanding Ofsted inspections. A brief summary of the main findings is given below.

	Elleray Park	The Lyndale	Stanley School
Date of inspection	Dec 10	Nov12	Apr13*
Achievement of pupils	Outstanding	Good	Good
Quality of teaching	Outstanding	Good	Good
Behaviour and safety of pupils	Outstanding	Outstanding	Outstanding
Leadership and management	Outstanding	Good	Outstanding
Overall effectiveness	Outstanding	Good	Good
* Stanley inspection carried out prior to move to new building.			

The full Ofsted reports are available on the Ofsted website at www.ofsted.gov.uk

If The Lyndale School were to close in July 2015, in September 2015 children attending the school at The Lyndale School would transfer to another school. The two main schools would be Elleray Park School and Stanley School.

If the decision was made to close the school, each family would work with a key worker to ensure that transition to the child's new school is as smooth as possible.

The Local Authority already hold detailed information regarding the children's needs as part of the statutory assessment process. This will be reviewed and further information collected, should it be required. There will be ongoing discussion with parents and carers.

As this option for change would involve children moving to another school, the alternative arrangements must be likely to lead to improvements in the standard, quality and/or range of educational provision – the SEN improvement test.

Children who are currently in Year 6 or Year 5 at The Lyndale School would not be directly affected as they would have transferred to secondary special school provision by September 2015.

Q. What is the SEN Improvement Test?

A. In any option for change involving special educational provision, the proposed alternative arrangements must be likely to lead to improvements in the standard, quality and/or range of educational provision – the SEN improvement test. 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 into account 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 local authority'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 to 19 year olds;
- Ensure that 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.

Q. Travel. How will children travel to school?

A. If The Lyndale School were to close, each individual child's need for transport would be assessed against the Authority's transport policy for children with special educational needs to determine the best transport method to the new school. It should be noted that children with complex learning difficulties/profound and multiple learning difficulties receive free transport to school and it is unlikely that this would change.

Q. Building and site. Will internal changes or new building work be required at other schools?

A. Elleray Park School in Wallasey currently has 90 places for children with CLD. It will be able to accommodate up to 110 pupils through building work which is already approved to address sufficiency and suitability issues. The school already caters for children with PMLD, with 44% of all Wirral based primary age children with PMLD attending the school.

In September 2013, Stanley School moved into new purpose built premises co-located with Pensby Primary School.

Stanley School has 90 places, but can accommodate at least 110 pupils. If there was a trend for more children with CLD in the future, Stanley School could also accommodate another 5-10 additional pupils if needed without any extension to the building.

Taken together, these changes will give sufficient places across the two schools to meet the needs of all existing and future projected Wirral children with CLD.

Q. School organisation. What are the implications for staff? Are there opportunities for redeployment or early retirement?

A. If the school were to close, individual discussions would take place with staff employed at The Lyndale School and staff would be eligible for redeployment. The other special schools would be likely to require additional staff, and with the agreement of the governing bodies, staff could be given first priority when appointments are made.

Continuity of staff is always important to children and their families, however it must be remembered that some staff members may decide they want to apply for other employment, or choose to retire, just as in any school.

Q. Financial. What will happen to any financial savings made? If a school closes, what will happen to the site? Can it be sold or leased?

A. Any savings made are redistributed to schools to invest in children and young people.

If a community school were to close and the site was no longer required as a school, the future of the site would be determined by the Council. The Council could decide to use the site for another purpose, or the site could be sold.

To date there have been no discussions about the future of the site.

Definition of terms

Closure means ceasing to maintain a school.

Amalgamating or merging two schools involves closing both schools, then opening a single school with one budget, governing body and headteacher. Under the Education and Inspections Act 2006, new schools will normally be “foundation” schools established by a body separate from the Local Authority. The LA would commission a new school after holding a competition to invite applications to operate the school.

Federation can only be proposed by governing bodies and can involve a mix of primary, secondary and special schools. Each school retains its separate identity in relation to its budget, admissions and performance tables, although schools can agree to pool some or all of their budgets as long as there is a clear audit trail. A “hard federation” is where two or more schools share a single governing body and a single headteacher. A “soft federation” may still have a single headteacher, but each school keeps its individual governing body, with decisions made across the federation.

FTE (Full time equivalent): This is used when referring to early years places and pupils. A single part-time pupil in an LA designated Foundation 1 (nursery) class attending 5 sessions a week, equals 0.5 FTE. In early years settings, the actual number of sessions is used to determine the FTE, as children may attend anything from 1 session to 10 sessions a week.

Foundation schools: These are state funded non-religious schools. Like an Aided school, the governing body is the employer of the school staff, and determines the schools admission arrangements. The school's land and buildings are either owned by the governing body or by a charitable foundation.

Academy schools: These are state funded schools, but are independent of the Local Authority. They may have a sponsor, such as a business or university. Like an Aided school, the governing body is the employer of the school staff and determines the schools admission arrangements. They receive the same level of funding as other state funded schools.

Free school: These are state funded schools, independent of the Local Authority, with the same responsibility for employing staff and determining admission arrangements as an Academy school. They receive the same level of funding as other state funded schools.

SEN Code	Stands for
ASD	Autistic Spectrum Disorder
BESD	Behavioural, Emotional and Social Difficulties
CLD	Complex Learning Difficulty
HI	Hearing Impairment
MLD	Moderate Learning Difficulty
MSI	Multi-sensory impairment
PD	Physical disability
PMLD	Profound and Multiple Learning Difficulty
SLCN	Speech, Language and Communication Needs
SLD	Severe Learning Difficulty
SPLD	Specific Learning Difficulty
VI	Visual Impairment

The Consultation

Finding out more

If you want more information, you can find out more on the Internet. Go to www.wirral.gov.uk/thelyndaleschool

You will find:

- The full Consultation document
- The Cabinet report, resolution and minutes of the call in committee
- How to send your comments to the Children and Young People's Department

If you do not have access to the Internet at home, you can go to your local library where staff will help you log on and print out the information. The full Consultation document and other information are also available for you to read at Wirral schools, and at the following places:

Libraries

- Birkenhead Central
- Bromborough
- Eastham
- Woodchurch
- Wallasey Village
- Wallasey Central
- Upton

Community and Childrens Centres

- Bromborough Children's Centre
- New Brighton Childrens Centre
- Liscard Childrens Centre
- Delamere Community
- Liscard Community
- Woodchurch Community

One Stop Shops

- Bromborough
- Eastham
- Liscard
- New Brighton
- Upton

You can also look at these documents at Wallasey Town Hall and at the One Stop Shop in the Conway Centre in Birkenhead.

If you want a printed copy, please call the Council's Information and Advice team on 0151 666 2020, or e-mail specialreview@wirral.gov.uk giving your name and address.

What are the next steps?

Step 1. The first step is to distribute the consultation document and ask for views and comments. There will be Consultation meetings (meeting dates overleaf).

The meeting is an opportunity for anyone, including parents, staff, governors and other people directly related to the school to have their views heard by senior staff from the Department of Children's Services and a member of the Council's Cabinet.

People associated with other local schools, and members of the public who want to, can write in with their views. Anyone who wants to can write and say what they think.

When the Consultation ends, all the views and opinions received in writing and at the consultation meetings will be combined into a report to the Council's Cabinet. Cabinet members will read the report and decide what to do next. Members might make changes to the option, consider other options put forward as part of the consultation, or they could decide to do more consultation.

Step 2. If Council's Cabinet decides to go ahead with the option for the closure of The Lyndale School, it becomes a formal proposal and statutory notices are published. After the statutory notices are published, there are four weeks when formal written objections and comments can be sent to the Director of Children's Services. This is called the "representation period".

Step 3. After the four week representation period ends, a decision will be made either by the Local Authority or in certain circumstances by the Independent School's Adjudicator. The decision can be to:

- Approve the proposal
- Approve the proposal with changes
- Approve the proposal subject to other factors, such as obtaining planning permission
- Reject the proposal.

Step 4. If the proposal is approved, either by the Authority or by the Adjudicator, it will be implemented. The earliest any proposal could take place is September 2015.

What do you think? Please make sure your response is received by

Consultation meeting dates

Dates	Time	Venue
7th April	4pm - 6pm	Elleray Park School, Elleray Park Road, Wallasey CH45 0LH
8th April	3pm - 5pm	Williamson Art Gallery and Museum, Slatey Road, Prenton CH43 4UE
10th April	10am - 12pm	Professional Excellence Centre, Acre Lane, Bromborough CH62 7BZ
3rd June	7pm - 9pm	Stanley School, Greenbank Drive, Pensby CH61 5UE
9th June	4pm - 6pm	The Floral Pavilion, Marine Promenade, New Brighton, CH45 2JS
16th June	5.30pm - 7.30pm	Professional Excellence Centre, Acre Lane, Bromborough, CH62 7BZ

Having Your Say

Wednesday 25th June 2014.

You can write on your own, or you can join together with other people to write a joint letter. Your comments can be sent by post, through the school, or by e-mail. If you find it helpful you can complete and return the feedback form on the next page.

More information is available on the Council website at:
www.wirral.gov.uk/thelyndaleschool

The postal address for return of feedback forms or written comments is:
The Lyndale School Consultation
Children and Young People's Department,
Hamilton Building, Conway Street,
Birkenhead CH41 1FD

Or by e-mail to specialreview@wirral.gov.uk

Please note: To make sure the Consultation is fully open and transparent, all the responses to this consultation will be made available for inspection.

Feedback Form

Please let us know the main relationships you have with the school(s) by putting a tick in the appropriate box or boxes. You might be a parent and a member of staff, for example.

School	Parent	Member of staff	Governor	Other person
Elleray Park				
Lyndale				
Stanley				
Foxfield				
Meadowside				
Other (please specify)				

Please use this space for your comments. You can write more on another sheet if you need to.

Feedback Form (continued)

Please tell us your name and address, postcode, and e-mail address if you have one. We will not use your personal information for anything other than this consultation.

Name:
Address:
Postcode:
Telephone:
e-mail:

Please note: In order to ensure that this process is fully open and transparent, other people will be able to read all the responses to this consultation.

Address:
The Lyndale School Consultation
Children and Young People's Department
Hamilton Building
Birkenhead
CH41 4FD

E-mail: specialreview@wirral.gov.uk

**Make sure your response is received by:
Wednesday 25th JUNE 2014**

Consultee list

- Parents of pupils attending primary CLD special schools in Wirral (The Lyndale School, Elleray Park School and Stanley School)
- Children attending these three schools
- Governing bodies of these three schools
- Teachers and other staff at these three schools
- All Wirral school headteachers and governing bodies
- Children's Trust
- Trade unions
- Wirral MPs and local councillors
- Neighbouring local authorities
- The Catholic and Anglican Diocesan bodies
- Wirral residents
- Other Council departments
- Other interested persons

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Analysis of Consultation Consultation Meetings

Venue: Elleray Park Primary School

Present:

Cllr Tony Smith
Julia Hassall - Council
Phil Ward - Council
Andrew Roberts - Council
David Armstrong – Council
Headteacher – Elleray Park

Attended by 5 parents, 6 staff members and 2 other interested persons. 1 parent was also a governor.

5 Lyndale pupils were represented by at least one parent/carer.

Venue: Williamson Art Gallery

Present:

Cllr Tony Smith
Julia Hassall - Council
Phil Ward - Council
Andrew Roberts - Council
David Armstrong – Council

Attended by 1 parent, 4 staff members, 1 governor, and 1 other interested person.

1 Lyndale pupil was represented by at least one parent/carer.

Venue: Acre Lane Professional Excellence Centre (1)

Present:

Cllr Tony Smith
Julia Hassall - Council
Phil Ward - Council
Andrew Roberts - Council
David Armstrong – Council

Attended by 5 parents, 4 staff members, 2 governors and 7 other interested persons. 1 parent was also a governor.

5 Lyndale pupils were represented by at least one parent/carer.

Venue: Acre Lane Professional Excellence Centre (2)

Present:

Cllr Tony Smith
Julia Hassall - Council
Phil Ward - Council
Andrew Roberts - Council
David Armstrong – Council

Attended by 7 parents, 7 staff members, 1 governor and 18 other interested persons.

7 Lyndale pupils were represented by at least one parent/carer.

Appendix 5 – Analysis Of The Public Meetings

Venue: Stanley School

Present:

Cllr Tony Smith
 Julia Hassall - Council
 Phil Ward - Council
 Andrew Roberts - Council
 David Armstrong – Council

Headteacher – Stanley School

Attended by 18 parents, 11 staff members and 5 other interested persons. Two Lyndale parents were also a staff member at Stanley, 2 Stanley parents were also governors.

7 Lyndale pupils were represented by at least one parent/carer.

9 Stanley pupils were represented by at least one parent/carer

2 Hayfield pupils were represented by at least one parent/carer.

Venue: Floral Pavilion

Present:

Cllr Tony Smith
 Julia Hassall - Council
 Phil Ward - Council
 Andrew Roberts - Council
 David Armstrong – Council

Attended by 2 parents, 5 staff members, 1 governor and 8 other interested persons.

2 Lyndale pupils were represented by at least one parent/carer.

Direct school	Total Consultees	Parents	Staff	Governors	Others
Elleray Park	4	0	4	1	0
Hayfield	2	2	0	0	0
Lyndale	41	10	14	5	14
Stanley	18	9	9	3	0
None	20	0	1	0	19
TOTAL	85	21	28	9	33

The table above shows the total of unique individuals and the breakdown of attendees by relationship to the school. Note that totals of categories may not add to total consultees as they may be counted twice, e.g. a parent or staff member may also be a governor. Attendees were encouraged to sign in at each meeting but it is possible that some individuals may have chosen not to do so.

Appendix 5 – Analysis Of The Public Meetings

Number of consultation responses received by school

73 responses were sent by electronic means (e-mail), 9 by post (written).

Responses	Total	Directly related	Parent	Staff	Governor	Others
Elleray Park	3	2	2	0	0	1
Lyndale	34	19	10	6	3	15
Stanley	3	2	2	0	0	1
Other person	42		1	3	1	37

Breakdown of respondents by relationship to the three schools. "Other person" indicates respondent with a relationship to a different school or with no expressed direct relationship to any particular school. Directly related refers to parents, staff and governors.

All written responses (forms, letters, e-mails) by respondent category

Category of Respondent	No	%
Parents	15	18
Staff	9	11
Governors	4	5
Other	54	66
Total	82	

Please note: Totals may not match with previous table as some people fit into more than one category, for example parent and staff.

Appendix 5 – Analysis Of The Public Meetings

Petition

A **petition** was received in support of **Lyndale School** containing 10,692 entries, of which 2,580 were duplicates, illegible or un-named, missing or non-existent addresses and 3,178 were resident outside Wirral.

The remaining 4,935 entries comprised 702 “written” entries and 4,233 “e-petition” entries.

The following table gives a breakdown of entries by ward of postcode provided. The second column gives the number of unique households. Where a full address was not provided, entries from persons of the same surname and postcode were treated as a single household.

Ward Name	Entries	Households
Bebington	324	295
Bidston and St. James	189	171
Birkenhead and Tranmere	198	185
Bromborough	526	476
Clatterbridge	348	318
Claughton	153	145
Eastham	763	678
Greasby Frankby and Irby	109	98
Heswall	82	78
Hoylake and Meols	88	83
Leasowe and Moreton East	218	212
Liscard	201	188
Moreton West and Saughall Massie	215	195
New Brighton	135	129
Oxton	181	169
Pensby and Thingwall	111	106
Prenton	219	205
Rock Ferry	263	245
Seacombe	180	175
Upton	192	181
Wallasey	151	137
West Kirby and Thurstaston	89	81

Note that the Wirral Council Petition Scheme says a valid e-petition entry requires name, postcode and e-mail address. The e-petition was submitted as part of the consultation with name and postcode but without e-mail address, however it is assumed that these were collected by the petition organiser.

Summary of responses

Overall funding issues

- It costs a lot to educate the children, but don't they deserve it?
- This is all about money
- Council wants to sell the land
- More staff would be needed at the other schools which would cost more
- Can the Council put money into the Dedicated Schools Fund from other budgets?
- These children will always be expensive due to their physical and medical needs and will be equally expensive at another school
- Should give the school more money to keep it going
- Taking money from another school to keep Lyndale going would mean less money for the children at that school
- The dedicated schools grant is ring fenced so closing the school doesn't save any money for the Council, it is merely redistributed
- Council has admitted there is no saving from closing the school
- Looking into donations from the business community to bridge the £70,000 gap
- I am happy to pay a bit more on my council tax
- If funding arrangements for transport change parents may opt to send their children to a more local school
- Could appeal to the D of E for additional funding

Capital

- How much is the Elleray Park extension costing and where is the money coming from?
- Council is wasting money on ridiculous things like exercise equipment in parks and town hall renovations
- Why not spend the money for extensions on keeping Lyndale open instead
- Lyndale has had substantial investment over the years, including charities money, to make safe stimulating environment
- School has been underfunded over many years and relies on donations for equipment
- Will Stanley school be extended?
- Elleray Park and Stanley have both had recent investment and this would clearly influence parental choice and impact on Lyndale
- The public have raised £80,000 to install a sensory garden

Funding bands

- What is the national average spend on PMLD children compared with the spend on Lyndale children?
- What is the definition for Band 5 as there is a significant difference in funding for Band 4 and Band 5?
- Band 5 funding is less than under the old place-led funding system
- Elleray Park may have 44% of PMLD children but how many Band 5 children does it have?
- What is the methodology for the top up bands?
- What is the definition of PMLD?

Lyndale School size

- After the last consultation it said there should be two primary CLD schools for 200 pupils
- Larger schools harbour more infections
- There are only a small number of PMLD children so Lyndale will always be small
- Lyndale did not choose to specialise in children with PMLD but now parents with less profound children do not choose it
- Consultation document does not give positives of a small school
- When does a small school become a financially viable large school?
- In 2011 it was recommended to close Kingsway Primary as a small school but it is still open so officers were incorrect to recommend closure and are incorrect now
- Children would not cope in a larger school

Health and Safety of the Lyndale pupils

- Children would miss their friends
- I would not want my child interacting with children with different special needs
- Moving school would be an upheaval for children
- Options will compromise children's education
- Pleased with child's progress here
- Concerns about safety of children
- Children's health is very fragile and many have life-limiting conditions
- Children at Stanley and Elleray Park have behavioural problems and autism and may attack my child who cannot defend themselves
- Children's oxygen or feeding tubes might be pulled out by other children

Appendix 6 – List Of Issues Raised At The Public Meetings

- Many children can do nothing for themselves and need the constant attention of an adult 24 hours a day
- Concerns about communal lunch and assembly at Elleray Park
- Concerns about impact on existing pupils at other two schools
- Concerned children would be left in a corner and not educated
- Children have been dealt a bad card in life and need support
- Slightest change in daily routines can be devastating
- Concerns about teaching able-bodied children alongside disabled children
- Concerns about impact of seeing Lyndale children's medical needs on Stanley or Elleray Park children
- Stanley has an open door policy and staff are like an extended family
- Understand that Elleray Park and Stanley can provide for Wirral's children really well
- Lyndale children will still receive excellent care and attention at either of the other primary schools and when they transfer to secondary CLD schools
- Stanley and Elleray Park each have a single entrance so how will children all arrive and be offloaded safely by escorts

Future of the Lyndale staff

- Concerns about future of staff
- Teachers expertise is invaluable
- No redeployment policy in place for staff
- All staff work as a team
- Gone out of their way to meet the needs of my child
- Supportive, hard working dedicated, caring, professional and understanding staff
- Staff are devoted to dealing with each child's individual needs – personalised learning
- All the children have similar needs and staff know them well
- Full time nursing staff
- If the Council can ring fence children's centre staff why not Lyndale staff?
- Staff would like help from HR earlier in the process
- Would put additional strain on teachers and would take a lot of hard work to ensure a smooth transition
- Some of the teaching staff and assistants could be retained in their new schools

Assessment of children

- Children's needs are not all the same and they should be treated as individuals
- Who will carry out the needs assessment on the children and will parents be involved?
- How would children be allocated to other schools if Lyndale closes? Will parents have a choice?
- Will out of borough places be funded if that is what parents want?
- Would need to ensure there are sufficient staff at the other schools who are suitably skilled and experienced
- Would children be mixed in with the Stanley/Elleray Park children or segregated in separate classrooms?
- Would want the staff to move with the children as much as possible to give parents some security and ensure care needs are met
- I was told the Statementing officer would choose the best school for my child to go to and they chose Lyndale so what has changed?
- Neither of the other two schools are suitable for my child
- Importance of continuity with their peer group

Hydrotherapy pools and physical environment

- Classrooms need to be large because of the wheelchairs and other equipment, and space needed to stretch on the floor
- Accessible sensory garden
- Soft play room and sensory rooms
- Physiotherapy, speech and language and other therapy and medical rooms
- Children love the wheelchair bikes
- If new space being built at Elleray Park is used for Lyndale children the school will be overcrowded again
- Children would have less space in another school
- Children would get less time in the hydrotherapy pool if there were more children
- Building work is noisy and would upset autistic children
- Lyndale has an emergency nurse call button in every room
- Stanley School is a low arousal environment due to all the autistic children who go there, but Lyndale children need stimulus
- Why was Stanley built with hoisting equipment when there are no children there who need it?

Appendix 6 – List Of Issues Raised At The Public Meetings

- Stanley does not have the facilities for high needs PMLD pupils
- The hydrotherapy pool at Elleray Park is too small
- The other two schools do not have hydrotherapy pools
- No suitable outdoor space at either of the other two schools
- Could knock down walls at Lyndale to make larger classrooms
- Keeping Lyndale maintains a geographical spread of special schools
- Do the other schools have the same facilities as Lyndale?
- Stanley School has got a brand new building and Elleray Park is being improved
- Playground at Stanley has road markings for drop off which confuses some children
- Should have thought about this when Stanley was being rebuilt
- Document says it is unlikely that free transport would change, it should be guaranteed
- The hydrotherapy pool at Lyndale is shared with children with other schools
- Would the buildings be ready for when the school closes?

Pupil numbers

- Other special schools have taken more children than they should
- Constant threat of closure and uncertainty puts parents off
- Parents have not been told Lyndale was an option or have been discouraged from coming here
- Council should make children come to Lyndale
- Council should promote/publicise the school to encourage more children to come here
- If Elleray Park is over its numbers wouldn't it make sense for some of the children with PMLD to go to Lyndale
- Now Lyndale has had all this press coverage a lot more parents will want to come here so numbers will increase
- Children attending other special schools would benefit from attending Lyndale
- Council could bring back expensive out of borough pupils to go to Lyndale
- Lyndale should seek admissions from Cheshire and North Wales, paid for by those authorities
- Children from the immediate area should be given the opportunity to attend Lyndale

Appendix 6 – List Of Issues Raised At The Public Meetings

- Numbers and complexity of PMLD children is rising nationally and will be the same in Wirral
- Numbers of children with CLD are increasing
- Other two schools are already oversubscribed
- Council is obliged to provide capacity for future projected pupils
- There is already a waiting list for Stanley
- Projecting future numbers would be like consulting a crystal ball
- If there is the capacity at the other two schools then the children from Lyndale should be offered these places
- Restricting places at Elleray Park and Stanley would lead to possible under occupancy and no financial benefit
- How will you fit children into the other two schools if they are already full?
- Fewer special schools means less flexibility
- There is a shortage of primary school places across the country because schools have been closed short-sightedly
- Figures in the consultation document are misleading

Retaining the Lyndale ethos

- My child loves coming to school here
- My child is happy, safe and well looked after
- Children go on to do really well in secondary special school
- Ofsted said was a good school
- Fantastic unique school
- Gone out of their way to meet the needs of my child
- High staff to pupil ratio
- Calm, happy atmosphere
- Warm, colourful, quiet, sensory school
- One to one teaching
- Family school
- Would children still get trips and outings at other schools?
- Staff are devoted to dealing with each child's individual needs – personalised learning
- Outstanding care and education
- No other school can provide the level of care children need
- Open door policy for parents

Appendix 6 – List Of Issues Raised At The Public Meetings

- Try to make children's life as normal as possible and allow some independence
- Children have a communal lunch and assembly at Lyndale
- South Wirral students come here for work experience
- Almost a hospital school
- Like an intensive care unit within the school system
- Parents are quickly notified of any changes
- There is a very thorough process for transition to Foxfield and Meadowside
- If the school has to close, should design a setting that has the atmosphere and facilities valued by parents

SEN Improvement test

- If the SEN Improvement Test isn't met, will Lyndale stay open?
- Who makes the final decision about the SEN Improvement Test?
- How will the options be assessed?
- Why fix what isn't broken?
- Would be a sad waste to close the school
- Should keep Lyndale open
- Taking away my choice
- This should be about children, not about statistics or money
- Council should do a thorough review of provision for children with PMLD
- Should have considered SEN provision as a whole picture and not school by school
- The proposal to close Lyndale is the correct one
- These are our most vulnerable 0.1% of children with the most complex needs of all you are targeting

The Consultation

- Decision should be based entirely on children's needs and not be a political decision
- Press campaign has led to unfortunate criticisms of other CLD schools which is unfair
- You have been trying to close the school for 8 years
- School has lived through this before and there was no satisfactory conclusion – must make a decision this time
- You've already made a decision

Appendix 6 – List Of Issues Raised At The Public Meetings

- Disappointed by the lack of response from councillors who all sent the same letter back
- What is the timetable for the process?
- Parents questions have not been answered at the public meetings – mostly “point taken”
- Parents from the other two schools are not interested in the consultation
- Minutes should have been distributed at the consultation meetings, how can people check their point has been taken down correctly
- Will meeting notes be available to the public and shared with councillors?
- Chair of the consultation meetings was rude and brusque
- No paediatricians have been consulted
- Consultation is a waste of tax payers money
- Life is stressful enough with a disabled child without all this hanging over us
- The Councillors have no understanding of what families of disabled children face every day
- Conservative and liberal democrat councillors called in the decision to consider closure
- Petition is the largest since 2010 indicating significant public support
- Consultation meetings were at very restrictive times for parents and other interested parties
- Good to have six consultation meetings

Comments on other options

- Should not split the children between two sites as they would be in the minority
- Should have 2 to 19 or 2 to 23 school at Lyndale
- There are 2-19 and 2-23 schools in other areas
- The local authority could make Lyndale into an Academy then they are not involved in running the school
- Option to move as a unit to Foxfield school where most children go to at 11
- Option to amalgamate with a mainstream school under a single headteacher, keeping a Lyndale unit in the existing building
- Federation can lead to leadership issues and competing agendas
- Why co-locate when the other schools can accommodate demand?

Appendix 6 – List Of Issues Raised At The Public Meetings

- Academy or free school does not alter pupil numbers or finance as there only so many children to go around
- Option to close the school, but continue to operate as a split site with another special school for a period of time

Other Comments

- Vital part of the community
- I have spoken to Wirral companies who are against the closure of the school
- If this is allowed to happen I will no longer be voting labour in the general election
- To close any special school is a total disgrace and shows the inhumanity of the times
- Should be celebrating the school, not closing it
- Closing Lyndale for any reason would be criminal
- Leave this important facility alone

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Appendix 7 – Notes Taken At The Public Meetings

Public Consultation Meeting re The Lyndale School held at Elleray Park Primary Special School

7th April 2014: 4.00pm to 6.00pm

In Attendance: Julia Hassall: Director of Children’s Services, Phil Ward: Senior Manager SEN, Councillor Tony Smith: Cabinet Member for Children and Family Services, David Armstrong: Assistant Chief Executive, Andrew Roberts: Senior Manager School Funding and Resources.

Attendees: 14

Question and Comments	Some Key Points
Why are we not having a consultation at our school Lyndale as I feel a bit exploited here at Elleray Park	The meeting was informed that the venue was agreed with the Lyndale School Parent Governors who suggested the best time for the meeting was during the day but she is happy to change the venue if needed.
If the options on the paper are not viable for our children, what then?	It was reiterated that this was a consultation and all options would be looked at and if new options are feasible then we would consider them also. We do not know what we will recommend at this time but what we do know is that it has to be right to meet the needs of the children
Why spend money on a consultation, can this not be put towards Lyndale?	It is important to note that this is not about the savings which the LA has to make. Money will continue to be invested in the children. It is very important that we hear your views.
Feedback Forms – do we need to fill in new ones as we have already done this and will we be getting an answer to our questions we have already asked	Please continue to fill in the forms, questions will be answered throughout the consultation
What is the breakdown of the £16,000	£16,000 is set at an amount to recognise the higher needs of PMLD children
Can we have a rep, someone who is a point of contact for us to speak to at the LA	Action A link person for parents will be identified.
When you published your information, it stated that there was an empty classroom at Stanley School – this has changed, there is no empty classroom at Stanley now What are you going to do if the two schools in the consultation document are full	We will not stop assessing children for a statement if they need the assessment. If there is an issue and a child cannot get access to a school, we would have to discuss this with the individual head teacher. At present we have no backlog of assessments nor do we have any issues with assessments. Extra space is being created at Elleray Park School.

Appendix 7 – Notes Taken At The Public Meetings

<p>What will happen if all the schools are full, Elleray Park is over subscribed now, so where will they go.</p>	<p>A key part of this consultation is to ensure that whatever the decision is that there are sufficient places. Elleray Park is a 90 place school and at present have 92. This will be increased to 110 when building work is completed.</p>
<p>Why do Elleray Park and Stanley have children with PMLD, why could they not go to Lyndale. Can you not restrict numbers of other schools to help Lyndale to grow?</p>	<p>Any of the 3 schools can take children with PMLD. Parents have a choice where they want their children educated. Parents can still choose for their children to go to Lyndale.</p>
<p>None of us here had a choice where our children went. We did not receive the admissions document when our children were stated. We want to have choice and fair access for our children. They are unique and you are putting them at a disadvantage by threatening to close Lyndale.</p>	<p>Cannot answer individual cases, assessment of the children is complex, and I cannot answer why historically some schools are oversubscribed. Each parent whether their child is in mainstream or special schools has the right to choose. If not successful then there is a process which needs to take place such as appeals, tribunals etc.</p>
<p>Why have you not promoted our school? There is still room in our school for other children. We used to have other children in our school e.g. children with ASC. Other schools have grown, why not The Lyndale?</p>	<p>We cannot predict where parents want their children to go. Also at the call in it was said that Council Officers had been directing children away from Lyndale. We can find no evidence of this happening.</p>
<p>The classes in Elleray and Stanley are based on ability. My child will never be able to read. Does this mean that there will be children aged 2-11 in the same class?</p> <p>Education for our children at times is not always the issue which is paramount, but what is, is their safety. How will you make sure they are safe?</p> <p>What about the use of the</p>	<p>The Educational Psychologists will work with the school and parents to make sure that the information on each child is up to date and represents an accurate picture of your child's needs. We acknowledge that safety is important to you all as it is for us.</p>

Appendix 7 – Notes Taken At The Public Meetings

pool if more children go to Elleray Park.	The head of Elleray confirmed that her pupils use both the school pool and the local swimming baths
What is the criteria/definition of PMLD	Nationally there is some confusion in the research around this but what is clear is that professionals make their decisions based on the diagnosis of each child. In all our special schools the curriculum provision to meet needs is excellent.
What if we all want our children to go to Stanley School? This would mean that there are not enough spaces?	Individual needs of the child will be taken into account. We will look at this and make sure that we offer the school that can meet your child's needs.
Our school has been under threat for over 8 years so why are you doing this now?	This is a discussion which needs to be had as there are now changes in funding. Locally we have been able to fund the empty places at Lyndale. Now we cannot continue to do this. We want a viable school, one which will last into the future. Also in larger schools it is easier to find economies of scale. Cost per child in a smaller school is higher.
Are you saying that the EFA has reduced the number of places? Are you saying that you are not allocating the top up fund of £120,000	Explained EFA funding and how banding was determined. In 2015 – 16 the EFA will move to funding high needs places on the basis of the number of pupils in schools. We will no longer be funded for empty places.
Band 5 is inadequate for all children	An additional piece of work was done to identify the highest needs and band 5 was added.
We need specialist staff for our children. We also mean no disrespect to other schools or their staff when we are asking these questions	We understand this and the staff who work with your children know the children well. Other staff will also get to know the children if they did go to another school. We appreciate that this will take time.
What will happen when our children reach 11, has a precedent been set as there are some children who attend a school in Liverpool?	As I have said each child's needs will be reviewed and no a precedent has not been set in the fact that our children attend out of borough schools. Parents can express a preference for any school in or out of the area.
When are the SEN Improvement Test people coming in and will they discuss my child	The Educational Psychologist in partnership with the school and families will be looking at each child to ensure records and assessments are fully understood. This will help plan for each child's future.
What will happen if the	As I have said at the beginning, this is a consultation and we

Appendix 7 – Notes Taken At The Public Meetings

Independent SEN test comes back and say that Lyndale is best	have not made any decisions as yet
What will happen if you close Lyndale, split the children between the two schools and then it does not work, will you re-open Lyndale?	Our role is to monitor and make sure we are aware of what is needed and intervene early and appropriately and not lose sight of children's needs
In relation to the Educational Psychologist, will we get to approve what has been said before you get sight of the reports and what are you going to do with the information	As I said we want to make sure that we have up-to-date information about each of your children, we want to bring it alive and make sure that whatever we do we are meeting the needs of the children. Reports are not being produced. Parents, the school and the LA will work together on this.

Appendix 7 – Notes Taken At The Public Meetings

Public Consultation Meeting re The Lyndale School held at Williamson Art Gallery

8th April 2014: 3pm to 5pm.

In attendance: Julia Hassall: Director of Children’s Services, Phil Ward: Senior Manager SEN, Councillor Tony Smith: Cabinet Member for Children and Family Services, David Armstrong: Assistant Chief Executive, Andrew Roberts, Senior Manager School Funding and Resources.

Attendees: 7

Questions/Comments	Key points
Has the extension to Elleray Park been approved	The scheme has been approved. This provides the funding and the design. Planning permission has not been approved just yet.
You say that there is a possibility of attaching a separate unit but we have no proof of that, and this is not a genuine consultation	We have not made any decisions. We are still consulting on Lyndale School options
Do you realise that because you have published documents which refer to Lyndale school as potentially closing, this has made our school doubly vulnerable. Pity you could not have said options for future of our school	Parents can still choose Lyndale. We as an authority have not put a bar on this. Also it is a fair point you raise but we need to have this discussion. All options will be considered and that is why these meetings are important.
If the outcome is not predetermined how come you are putting in new hoisting and access for wheelchairs at Stanley School? They have never had these before.	When we do bids for new schemes we have to make it the best we can as we want it to last for 50/60 years. There was not a hidden agenda re closure of Lyndale
Why is Stanley School taking our children	We cannot answer that, it is a matter of parental choice
I have the highest praise for Elleray School. My worry is how will a child if say they have a feeding tube, fit into a school where there are children running around. How will you keep them safe?	If that child goes to a new school, the school will have to meet their needs. Elleray school does have experience of PMLD children.
How many are disabled in Elleray? How many will be going to Elleray?	
The individual assessment of the children: are you leaving this to the school	Yes, that is their role; they need to work with professionals and parents to gain a full assessment so they can be integrated within the school in a way which is appropriate for the individual. Both Elleray and Stanley are excellent Schools
In the new school, will there be space for equipment staff etc as children with PMLD would need this	Yes

Appendix 7 – Notes Taken At The Public Meetings

<p>What happens when the two schools are full? There is also an increase in children with PMLD and each class at Lyndale is seems like a family unit. Also at Elleray they have a team which go around school, twice a day and change nappies, what happens if they need their nappy changed 5/6 times a day. We know all the children in our school and we know their families. The new schools do not know our children. The Head Teachers don't know them</p> <p>Our staff are multi-skilled, as some of our children have life limiting conditions.</p> <p>Our smallness has made us vulnerable but it is also our strength. We are concerned not just with their education but also their emotional well being.</p> <p>What we do cannot be replicated. How will you make sure there is space, people they trust, friends. You will be taking our children away from that.</p>	<p>The LA will, as it is its role, continue to monitor pupil numbers</p> <p>Need to consider the individual experience of each child, if a child needs frequent changing, that will be part of their plan to meet their needs in which ever setting.</p>
<p>Could the 3 head teachers not have communicated better over the years</p>	
<p>Could pupils not have been divided more evenly across the schools</p>	<p>Parental preference means we cannot do this. Legally we cannot direct children in this way.</p>
<p>Threat of closure has hung over us for years has not helped our school</p>	
<p>You are putting time and energy in this consultation and looking at other alternatives, can you not put this into keeping our school open</p>	<p>We are putting and have put energy into keeping this school open. This is why we are having these discussion/consultations. We cannot market the school but it is possible for the school to do that.</p>
<p>Can you explore the 2-19 option? We know parents who have said that they would have preferred for their children to stay at Lyndale</p>	<p>We did look at this in 2010 and we are genuinely listening to what you are saying and we will look at it.</p>
<p>Will it all be behind closed doors?</p>	<p>We are open to all the options. We are open minded.</p>
<p>What will you do if you have an influx into the school</p>	<p>This is something which tends not to happen. It can happen that children with complex needs unexpectedly arrive. The LA and schools need to be flexible.</p>
<p>What if you close Lyndale and all the children choose Elleray, what will you do</p>	<p>We would have to look at this as it is a statutory process, and if the school could</p>

Appendix 7 – Notes Taken At The Public Meetings

as they do not have the capacity	not manage all the children we would have to go back to parents/professionals and have a discussion. This could trigger appeals, tribunals etc
How will you accommodate 10 more children in wheelchairs	We would look at addressing this in the building and if not we would have to re-assess the building. Ellera Park's suitability scheme provides extra capacity. Head Teachers within the special schools are good at working with space and capacity.
How much time re the pool would children have as their pool is small? There does not appear to be much available time so how will our children fit in?	We can't answer this, it is up to the school to manage this. We are confident that this issue will be looked at and resolved by the school
Will the SEN improvement test outcomes be binding	Cabinet will make the decision
How many children are in wheelchairs at present in Ellera Park	
Band 5 is high level funding. How has it been worked out?	There is a fixed amount of money. We have tried to be equal and fair. If people think this is wrong the debate has to go back to the school forum. Any decision has to take in the whole of the school community
Our school has lost out on place funding, also lost out on top up funding	

Appendix 7 – Notes Taken At The Public Meetings

Public Consultation Meeting re The Lyndale School held at the Professional Excellence Centre, Acre Lane.

10th April 2014: 10am to 12pm

In Attendance: Julia Hassall: Director of Children’s Services, Phil Ward: Senior Manager SEN, Councillor Tony Smith: Lead Cabinet Member Children and Family Services, David Armstrong: Assistant Chief Executive, Andrew Roberts: Senior Manager School Funding and Resources.

Attendees: 19.

Questions/Comments	Key Points
<p>A number of inaccuracies need challenging which has been highlighting for 8 years. Lyndale school used to have a mix of children and now they only get children with PMLD. We are ‘sent’ them.</p> <p>You can look at their needs, what staff they need and some have life threatening conditions. How much does it cost for a child? The cost to school is the same no matter the setting. This has not been answered; one pot of money is not an answer. There needs to be an assessment of need re the cost of a child.</p> <p>Your consultation document talks about PMLD and CLD and they are used interchangeably. The fact is there is no definition of either of these. You cannot compare them. Children with PMLD are a smaller number than CLD. Is it reasonable to educate them in the same space? You are not prepared to change the formula. Surely if they were in other settings it would cost a lot more. For this group of children what is the optimum arrangement? This has not been done; there need to be an assessment of need, or a definition. These are real children, real needs not how much do they cost.</p>	<p>Thank you for your comments</p>
<p>I want to make this point at every meeting. What happens at Elleray and Stanley when they become full? What about the future kids who may have not</p>	

Appendix 7 – Notes Taken At The Public Meetings

even been born yet?	
Our school has empty space; can't you send the children there?	We cannot do this, it is parental choice
The 5 year trend is that Stanley and Elleray are near to capacity	
When those schools are full where will they go?	You are right, capacity could be a problem. A scheme has been submitted to increase the capacity at Elleray Park and we can extend Stanley School. We have built it in a horseshoe shape which would allow for this
How are you going to do it. What is the long term plan? So you are going to close a perfectly good school and extend another?	
Some of our children have pool physiotherapy 2/3 a week that is why they are living longer, so can you assure us as parents that they will be able to have this resource	The head teacher at Elleray did say at another consultation that the more able children go to the public swimming baths therefore this will allow for those with more profound needs to be prioritised in the school pool.
I appreciate that our school has had falling rolls and one of our specialisms is end of life care. We are being penalised because of this. We have lost 10 children, we lost 2 last year. Also in your wording in the consultation document you have put another nail in our coffin. Parents are not choosing us now. Also it seems if you are going to close us that other parents get to choose their school but we cannot choose Lyndale	We are still looking at every option on the consultation paper
Some of our children need 24 hour a day support and need to be resuscitated three to four times a day. How will a child at Elleray cope with this? It will be traumatic for them if they see this as they will understand what is happening. In some ways the children in Lyndale don't understand what is happening and this protects them from the trauma	This is something which has been raised at all the meetings and we will need to consider this carefully with the schools
There are 6 options but you are always talking of Stanley/ Elleray	We are responding to the questions, in the last meeting much of the time was spent discussing the 2-19 option
If you decide to save our school, will you invest in it	It has been invested in

Appendix 7 – Notes Taken At The Public Meetings

That was 10 years ago	Yes, it would need more work done particularly to windows.
There was fund raising for a sensory garden (£80,000). Has this been a waste of time	
How long will it take to build the extension? How much will it cost? The SEN Improvement Test has not even been looked at.	Elleray Park Scheme was not part of the proposals, this will be completed no matter the outcome of this consultation. We believe that this scheme will receive planning permission, it is not contentious
If this problem of falling numbers has been going on for 8 years have the LA not asked parents why they have not chosen Lyndale	Parents are free to choose the school which they feel is best for their child.
Staff have remained at Lyndale during the past 8 years with closure hanging over their head, would you stay put? It looks like you have already closed it. What about the staff and their expertise. You will lose this. The children in Elleray and Stanley are different from those in Lyndale. It is not fair on the children If you close Elleray the staff will be made redundant. They need to be guaranteed their job or you will lose them. The staff need to be advised about their possible future should the school close	Arrangements will be made for HR to talk with the staff.
It is the job which is made redundant not the person and if someone at the other school is taught how to do my job then I can claim unfair dismissal	These are HR technical points
What if you don't close the school, what do you do then	We will have to involve the whole school community, such as schools forum, look at the bandings and work with the EFA
If you don't close it this time, will we be in the same position next year?	We would have to have the debate with the EFA and come up with ways to do this.
In 2012/13 Band 5 pupils got £16,000 and band 3 and 4 got less per pupil. Now there is the national agreement which is £10,000 and band 3 will now get £17,000 and band 4 £18,000 but band 5 will still get £16,000 so effectively we are getting less	What we were asked to do by schools is to come up with a system which had the least change in it and this was taken to the schools forum. This is a locally agreed system. Changes were made to bands 3 and 4 to give resource bases in mainstream

Appendix 7 – Notes Taken At The Public Meetings

	<p>schools parity with special schools.</p> <p>The £16,000 band is not based specifically on children's needs. It is an amount that recognises the highest PMLD needs, provides the same level of funding in all schools and gives a greater degree of stability. The difficulty we have is that there is a fixed amount of money in the pot. We do not have a blank sheet to start with. This would mean re-visiting the pot and looking at how this can be shared differently</p>
If you close the school, the transition will not be seamless	We will have to carefully plan, and this means having an up to date picture of every child and their needs. This will involve not only professionals but also parents.
How can you re-assure me that which ever school my child goes to that they will have the same standard of care they have now	
<p>What constitutes a small school? At what level is it viable?</p> <p>Also in relation to the £16,000 which has just been mentioned and doing research what I have found is that it is equivalent 1 teacher per 6 children and 2 Teaching Assistants. Our children need more than that. This means that our children are underfunded. In a school in Cheshire it costs £34,000/£35,000 for PMLD children.</p> <p>Our children need it more</p>	As it has been said we do not have a blank sheet, there is a specific pot of money. To change this would mean taking it away from other children
No one has fully answered any question. You are just white-washing it. You have already made your decision	We are in consultation and considering all options. We will be bringing in an independent person to look at all options considered
You will keep our children in a small area, fit them into a box, they don't fit in a box so how are you going to fit them in	We have spoken to the school (Lyndale) about other options such as free school, academy status, or federating to another school. We are also re-visiting the 2-19 option as we are not trying the fit children into a box. Putting children into a confined space, locking children in a single room will not pass the SEN Improvement test, this is not acceptable. This would be a discussion with the

Appendix 7 – Notes Taken At The Public Meetings

	school in looking at options
Our children should not be in the same school as children with Autism	
<p>This is the most sensitive parent consultation I have heard. Regarding the minimum funding guarantee, what happened to this as this was a discussion with the EFA</p> <p>The work of this school is more intense, it is different from elsewhere and so far it appears that you are not satisfying parents with your answers. How can you replicate Lyndale, is there no other option?</p> <p>In the education budget there is a contingency fund of around £800,000 so why can this not be used</p>	<p>We made the application to the EFA but then withdrew this when additional guidance was received.</p> <p>We acknowledge that it will not be the same place but we will ensure that whatever the outcome it is as good as or better. If pupils are transferred, the new setting will have to understand each child's needs.</p> <p>It is used to fund one off events such as staffing issues, or fire etc. Should not be used for long term funding.</p>
We have invited Councillors to come and visit our school. They have not even replied which would be polite	Councillor Smith said that this was something that he was arranging and it would happen after the Easter Break
If the SEN Improvement Test says the closure of Lyndale is not good or better, what is going to happen?	Although we as officers will be making recommendations for Councillors in the report there will be commentary about the Improvement Test which local Councillors will be given.
It says in your booklet that there is 44% of PMLD but actually it is 26.1%. How have you got to these numbers if there is no definition of PMLD. Who decides	This % is based on school census information. There is very little research on this. These are local decisions, which rely on the professionals as well as the parents to make these decisions. It is based on the professional judgement.
It is based on the child not getting to P6	
Will we get a presentation from the Head Teachers of the two schools	We are in consultation and do not want to pre-empt the outcomes.

Appendix 7 – Notes Taken At The Public Meetings

Public Consultation Meeting re The Lyndale School held at Stanley School.

3rd June 2014: 7pm to 9pm

In Attendance: Julia Hassall, Director of Children’s Services, Phil Ward Senior Manager SEN, Councillor Tony Smith, Lead member for Children David Armstrong, Assistant Chief Executive, Andrew Roberts, Senior Manager School Funding and Resources.

In your options you spoke about a 2-19 provision, have you thought of continuing this to 25 years old?	We have not looked at this but it is relevant and we would need to have a discussion with the post 16 providers. Also we would have to find out how many 18+ young people have Education Health and Care plans. We would also have to explore the funding of this
You said you have now engaged independent person to look at the SEN Improvement Test can we meet with her. Also how long will this take and how detailed will it be	Yes we will organise this We have engaged the person for 15 days and she will not be participating in the assessments.
I had to take my children out of Wirral to Liverpool as there is no provision for them.	
If you put my child into Stanley School how can you ensure that they will be safe as this school is more for children with autism and not PMLD.	We would not transfer any child into a school where it is not safe for them. We will be ensuring that the provision for each child is either as good as or better. If we don’t do this we will not pass the SEN Improvement Test.
My son’s condition can change and can take me by surprise, how will the Educational Psychologist take this into account	They will work with the school and parents and the child to make sure we have the most up to date assessment.
If you take in the children from Lyndale how will this effect my child here at Stanley School	We believe that this school will be able to support the children who chose to transfer as this school has good management, staff and a balanced curriculum.
	Stanley School has been built to accommodate children with physical disabilities as well as children with autism
What will happen if the judgement for my child is wrong, who is liable for that	The liability lies with the Local Authority but as officers we continually have to make judgements about provision.
Will we as parents have an opportunity to	Yes and we hope that you do this

Appendix 7 – Notes Taken At The Public Meetings

make a decision about either school and what would suit our child best?	
<p>What will happen if we all want the same school as our children will want to stay with their peers, for example, can Elleray Park accommodate all the children? Will the schools be over-subscribed if all are squeezed in?</p> <p>We want to keep the ethos of Lyndale School. We want to move together as one.</p> <p>How big will the extension be at Stanley if you decide on it Will it take away the library and garden at Stanley</p> <p>We would need at least 2 classrooms but what guarantee would we have that they are not just stuck in the classroom all day.</p> <p>At present they all have assembly together, they can move around freely is this going to be replicated</p>	<p>Our obligation is to provide places and we would then have to have the conversation with Elleray about this</p> <p>We have done a desktop paper exercise to look at this issue and we can extend Stanley School or even modify the design at Elleray but at this point it is only a paper exercise and more detail would be needed before we could progress.</p> <p>Stanley is built in a horseshoe shape and has been built with generous space. Having done the bid we can reconfigure and keep external spaces</p> <p>Head Teacher of Stanley School – We would organise the children according to their needs.</p> <p>They will be part of assembly as well as having circle time</p>
Are we guaranteed a choice for our children which school they will go to?	All parents would have a choice of which school they want their their child to attend.
Our children are different ages not just an extension of one age, how would you work this?	Head Teachers are experts in accommodating children’s needs and they will manage this within their school.
How many CLD are there in the schools and how many have ASC	I don’t have the figures to hand, but would always consider the needs of each child.
I know of one family with a child with PMLD that were not offered Lyndale as a school. Is this because you have already planned to close our school. Also I know of another parent from Elleray who asked for Lyndale to be told no. This means our school is losing children because of this business.	I cannot discuss individual cases but I am happy if the parents involved would like to contact me and I will have a discussion with them. Also, all parents have the right to appeal and we have no say in the appeal as the decisions are made by an independent panel.
This consultation is having an impact as	1 new child is coming into Lyndale in

Appendix 7 – Notes Taken At The Public Meetings

<p>parents are not being offered Lyndale, Lyndale is being ignored</p>	<p>September 2014. Lyndale is still in the admissions booklet.</p>
<p>You say that this decision to close is not about funding but my child will cost the same no matter which school she is in so how will you meet her needs.</p> <p>If it is not about money what are the benefits then?</p>	<p>It is about money but what we have said is that it is not about saving money for the Council as this money is ring fenced to schools. What we have also said is it is about funding and how there is going to be a change in how we can allocate the funding. We have been funding the empty places in Lyndale for years and we have been told that this is going to change to only places being funded so this is why we are having this debate.</p> <p>Your child's needs must be met no matter which school she attends but it is more expensive to run a small school compared with a larger school and Lyndale is a small school.</p> <p>Also no matter where your daughter goes, there will be the appropriate nursing care for her. We want the best for all children and we are committed to ensure that each child has an up to date needs assessment and are working with health and school staff to do this.</p>
<p>If Lyndale closes who makes the decision re the staff of Lyndale?</p> <p>As staff we are anxious as suddenly we will be expected to be specialised in other areas e.g. at Stanley they specialise in autism where I specialise in PMLD. Would I have to do it all as this scares me?</p>	<p>We will be talking to the schools to ensure that each child is supported and where possible staff will move with the children</p>
<p>If you mix up the children by age like in Ellera and Stanley how will this affect the others when my son needs to be resuscitated?</p> <p>If you close Lyndale then have an influx of children with ASC will you open a school like Lyndale again</p>	<p>Across the country there are very successful special schools who manage a mix of children's disabilities on a daily basis and this would be managed</p> <p>Head Teachers are managing issues such as these all the time.</p>
<p>Do parents have the right to an out of borough placement if neither of the</p>	<p>Parents have a right to express a preference for any school</p>

Appendix 7 – Notes Taken At The Public Meetings

options are suitable	
We invited elected Members to our school and only a small handful have actually attended so how can they make a decision	We have organised a coach so that more councillors can be supported to attend
Will any Stanley School children have to move out when the Lyndale move in? Our school will change and I made the decision on this school based on how it was? How will I stand, what can I do What would our options be if there is a dynamic change to our School (Stanley)?	No. Other areas manage a different mix very successfully in their schools and we can do this in Wirral
The consultation document is poor. It does not say anything about the children. It does not give a definition of PMLD, their health needs etc Are you using the model of co-production for this consultation? You have no understanding of our children on a day to day basis	Part of our consultation process is getting a better understanding of the needs of the children and families. For example we have heard about children's needs so that we can plan for their future provision. We have committed to 6 consultation events. We have also met with the parent governors and the MP Alison McGovern to talk about the options and we will discuss whether there is any scope for co-production looking at a joint solution.
You keep changing the goal posts We have to fight for everything, now you are shutting our school. This is where I thought my child would be safe, it is our school our respite	We will listen to your views.
Is there going to be a proper calculation to educate my child on a PMLD basis?	We will look into it. The banding system was produced by the schools forum. We can re-open the debate with the schools forum, it is not fixed in stone.

Appendix 7 – Notes Taken At The Public Meetings

Public Consultation Meeting re The Lyndale School held at the Floral Pavilion.
9th June 2014: 4.00pm to 6pm

In Attendance: Julia Hassall: Director of Children’s Services, Phil Ward Senior Manager SEN, Councillor Tony Smith, Lead member for Children and Family Services, David Armstrong: Assistant Chief Executive, Andrew Roberts, Senior Manager School Funding and Resources.

Attendees: 17

<p>In your consultation document Page 15 in the Section which asks the question relating to School Organisation it asks about the implications for staff and whether there are opportunities for redeployment. Your answer is that staff will be eligible but there is no redeployment policy and the new school does not need to employ the staff from Lyndale?</p> <p>Can’t a policy be made as there are special circumstances as our children are known by the staff at Lyndale?</p> <p>What about TUPE</p>	<p>We always assumed that there would be a degree of movement of staff from Lyndale to the other schools.</p> <p>There will be additional staff needed for the other schools if children are transferred</p> <p>There used to be a redeployment policy but with the status of schools changing and some have become Academies etc staffing is the responsibility of the governors. The staff at Lyndale is the responsibility of the Local Authority. In the primary rationalisation the vast majority found new posts. We, as a local authority, cannot force schools to take on staff as we do not have the power, we can only work with schools</p> <p>We will have to take this issue up with our HR department</p>
<p>Are the parents glad that you have assumed?</p> <p>Also by putting this in the document you have misled the public. Parents may well have felt reassured when they read this</p>	<p>This will be recorded in our final document</p>
<p>Do schools get extra funding if they take these children on their role?</p>	<p>Yes they get the resource which comes with the pupil</p>
<p>I want to say that Lyndale school provides excellent care. Care is paramount in the school not just apparent</p>	
<p>Will you be reporting to Cabinet what we have said in these meetings? We met with the Director for the consultation document and our points were not taken</p>	<p>Yes we will</p>

Appendix 7 – Notes Taken At The Public Meetings

into account? You could be misleading them	
Who makes the decision on what banding a child gets especially when there is not definition of PMLD.	There is a set criteria for Band 4 and Band 5. This was the work done by Eric Craven. For a child to receive band 5 they have to meet 3 criteria which is around mobility, feeding and P Scales.
In relation to the SEN Improvement test and the issues raised in the document for Cabinet will we get to see them first?	This will be a separate report for Cabinet. The independent person will meet with Head Teachers and Parents
Can we dispute anything on the document	Member of the school can request to speak to Cabinet. Also the Councillors will be visiting the schools so you can speak to them.
I am more heartened that after the meeting at Stanley School you are considering building an extension to it for our children. Would this mean we could move enmasse	We are willing to look at this option. We would also need to have a discussion with the Governors of the school and I also have to add a caveat that as a Local Authority we work with individual families
If you build can I just say we do need a sensory garden.	
In relation to numbers going into schools why can you not just cap the other schools	Legally we cannot do this as parents have a choice
Will all these changes affect how my daughter is cared for	No children will be supported as they are now
If you do not build will you have the capacity at the schools	Yes and the reason for this is that when we do a new build we are building for the next 50 years. We have also learned from what we did in the primary sector and we have made sure that there is enough provision
Are these schools been built only for children who are mobile	
Would it not be better that there is a little unit which retains the Lyndale ethos and name rather than try to integrate them into one of the schools	This is something we will be looking into
If you integrate us with another school we will lose our staff and the staff from Lyndale know our children	
How will you make sure that our children are safe	I have spoken to the Head Teachers and both are 100% confident that they can keep your children safe. If they were not safe then we would not meet the SEN

Appendix 7 – Notes Taken At The Public Meetings

	Improvement Test
If you are going to put the children into Elleray Park, will it not effect your budget	It does not affect the Local Authority's budget but the budget it will affect is the Schools Budget and Dedicated Schools Grant. It would mean that it was only paying for one Head Teacher etc rather than 2 of everything
If the money is given to Elleray park does that mean they could spend the £16,000 my child is entitled to on other children	The other schools must meet the needs of your children
At Lyndale there is an open door policy for parents, will this be the same in the other school.	All our special schools are open and welcoming
When my child started at Lyndale and when he moves from stage to stage, I have sat down with the new teacher and carers to ensure they understood his needs, will this continue in the new school?	Yes, most definitely
Will my child still be able to get a place at a summer play scheme	Yes
Are staff at the other schools aware of the level of care needed for our children?	Yes and if staff don't have the skills they will be re-skilled. Training will be provided.
There is excellent care at Lyndale, the staff go beyond their 'pay packet'	
My observation is that the decision to close Lyndale has already been made	We as officers do not make the decision to close Lyndale and no decision has been made as yet. We are still exploring the options. We gather the information and then we make a recommendation to Cabinet
Foxfield – What about the option of Foxfield School	All options will be looked at
Is there a set time for all this?	
How would the building stuff work, would our children be moved when this is all going on?	No they would not move until it is ready
Does this mean that our jobs/timeline is not final	July 2015 is the earliest The Lyndale could close
What if the staff at Lyndale get new jobs, what will happen to our children	This is something that all schools have to deal with and manage appropriately
Would it not be cheaper to move them than make them redundant?	

Appendix 7 – Notes Taken At The Public Meetings

Public Consultation Meeting re The Lyndale School held at Acre Lane

16th June 2014: 5.30pm to 7.30pm

In Attendance: Julia Hassall: Director of Children’s Services, Phil Ward Senior Manager SEN, Councillor Tony Smith: Lead Member for Children and Family Services, David Armstrong: Assistant Chief Executive, Andrew Roberts: Senior Manager School Funding and Resources.

Attendees 34.

Questions/Comments	Key points
Can we have a copy of the notes which you have been taking throughout the 6 consultation meetings	These are high level summary notes and not minutes and we will be using them to inform Cabinet. They are to capture your views
Could you then have key bullet points, or pick up the themes and can we see them.	They will be made public when our report goes to Cabinet
I have been to 100 companies so far and have asked them what they think of the closure of Lyndale and they are 100% against it. You are public servants and you should be serving the needs of people not yourself	Thank you for your comments
The consultation document is not worth the paper it is written on	
When the children’s assessments are done will they be used to cost need. Will you look at the banding	The assessment is about capturing the most up to date information of a child. This will be done on an individual basis The banding system is new and it was agreed by the Schools Forum. There will be review after the first year. DA/AR will feed this information you are raising back to the Forum
Will the petition from 5 years ago also be presented to Cabinet? All 3 parties fully supported it and decided not to close Lyndale	No. This is a new consultation.
Lyndale school is a fabulous resource inside the school as well as outside. We are able to take our children out so that they can enjoy the trees, the garden etc. The idea of squashing us into another	

Appendix 7 – Notes Taken At The Public Meetings

school is not conducive to provide a high level of care and education	
Is it 5 or 10 places in Stanley School, it is just a play on words	The new building was built to accommodate a higher number of pupils. The number of extra places will depend on the needs of the children
Are there any PMLD children at Stanley School at the present time?	No, but there are some children with PMLD at Elleray Park
I have visited Stanley School and I would be petrified to leave my child there. I think it would be a massive risk as I don't think my child will be safe	Both Head Teachers are confident that they can safely integrate your children into their school. Across the country there are many schools who do this successfully
Has anyone spoken to Paediatricians or Specialist Health Visitors about this consultation	No
What is going to happen if there are growing numbers with children with CLD if you transfer our children into Elleray and Stanley	This is something which we have to manage all the time. We need to keep up with the changes in SEN.
In your special arrangements to provide an up to date assessment of each child you need to take into account that some of the children don't have language etc and the environment is as important as well as relationships, friends, as well as a sense of place. They need a safe environment and this could be difficult if you mix them with children who have ASC	We have asked our Principal Educational Psychologist to ensure that we have an up to date picture of each child and their needs. She understands each child and if we know the needs of each child, this will help to drive our future provision
What about Foxfield School. That was a great provision why have you not put this forward as an option	This is a secondary school; children come into this school at aged 11. One of the options mentioned in the consultation document is a 2 to 19 provision. We are looking at Foxfield School as an option as parents have asked us to. Also it is important to remember that if we close Lyndale we will have a discussion about each child and parents can state their preference for any school
How come at Stanley only 90% is funded, will this mean that the other 10% will not be funded and have to be found out of their resources	Annually there is a census for each school. Numbers are reviewed and amended taking this into account.

Appendix 7 – Notes Taken At The Public Meetings

<p>We gained public support when we fund raised £80,000 for the sensory garden, if you close what will happen to it and how will you give the money back to the general public? This was their hard work and you are going to knock down Lyndale!</p> <p>There is an amphitheatre; do you know who built it? It was the YTS lads from Wirral Action</p>	<p>In other schools we have always made sure that if we were about to close and transfer the children, we relocate any other equipment where possible. We will look to relocate the sensory garden</p> <p>No</p>
<p>4 years ago officers put forward a proposal to close Kingsway School because it was not financially viable and this was voted against and this school is still here. So what is to say 4 years on Lyndale will not be the same and continuing to deliver high quality care and education.</p>	<p>Kingsway remains a small school which limits its budget income and there is an outstanding Council resolution to carry out a review.</p>
<p>Elleray and Stanley school do not always provide 1 to 1 support or even 2 – 1 support for their children so if you relocate Lyndale will that not effect their financial viability</p>	<p>The Head Teachers of both schools are confident that they will be able to manage integration of the children from Lyndale.</p>
<p>5 years ago at a full council meeting all 3 parties agreed to keep Lyndale open. Therefore the message is keep it open</p>	<p>The difficulty as mentioned is that there is a change to the funding formula and we have been funding empty spaces in this school. You have been really clear during these consultations that what you want is wherever your children go to school that it needs to replicate the provision at Lyndale</p>
<p>I have an issue in relation to the banding of our children. I accept that they all have different needs but my worry is that my child who is on band 4 is getting £8,000 less than others on a band 5 but what will happen at Stanley School?.</p> <p>We do not think that this will work as my son needs 1 to 1 care as although my son can feed himself he also needs to be fed as well.</p>	<p>The banding is a new system and only came into being on 1st April 2014. The question about whether your child is on the right band needs to be fed in to their annual review. You can also take this up with the Principal Educational Psychologist.</p>
<p>If the banding was changed would that keep the school open?</p>	
<p>In relation to the National Funding, Local Authorities have the ability to say what system they are going to use and Wirral chose to do a banding system which has</p>	

Appendix 7 – Notes Taken At The Public Meetings

<p>no flexibility. The difficulty is that by the time you go to the Schools Forum to change this system, Lyndale will be closed</p>	
<p>I approached the DFE about Lyndale becoming an Academy and was told that Wirral Council had one proposal which was to put children with SEN in Wallasey School</p>	<p>This is not something we have done. This may have something to do with the Everton Free School which may be moving on soon</p>
<p>The decision to not close Lyndale 5 years ago was unanimous. Also there was an agreement made that the LA investigate a policy for PMLD. The first part was to speak to parents; the second part was never done. What needs to be worked out is the needs of children and also if there is going to be cross subsidy in Stanley, parents have the right to know. The issue is simple – it costs money to educate children with PMLD.</p>	<p>Thank you.</p>
<p>Why are parents sitting at the back and not sitting at the front with you officers?</p>	
<p>This is about individual pupils and they need 1-1 care and they have different needs from the children at Stanley School and how can you mix them?</p>	<p>We are looking at how we would recreate the Lyndale ethos in another setting. We are looking at all 8 options</p>
<p>All our children have PMLD and Lyndale is a homely school. The setting is perfect for them. This should be a priority on everyone's agenda.</p>	<p>Thank you.</p>
<p>I understand that there can be data protection issues but what we would like to see is a list of the views of parents about the potential schools. Also the SEN Improvement Test appears to be a moveable feast. If you are going to recreate the Lyndale ethos it needs to be a replica of what the children have now not something else. For example there are differences in the schools now, the noise levels, how they look.</p>	<p>Thank you for your comments.</p>
<p>The provision at Stanley and Elleray is not there at present so how can you base it on “we could do etc” Also how is there space at Stanley, their outdoor areas are not in abundance now</p>	<p>Head Teachers are very confident that they can accommodate the children from Lyndale and they have to manage and balance new intakes of children all the time</p>

Appendix 7 – Notes Taken At The Public Meetings

When will we have a decision as surely the staff need to know what it happening as well as new staff would need run in time to get to know my child	We are planning to take the report to cabinet before Christmas 2014. If the option is to extend Stanley there will be a need for a longer lead in time re the building work. We will also want to work with the parents.
Our children could be creating bad feeling at the other schools as they will be taking away time which has been spent on other children such as the hydrotherapy pool time	
Why are you doing this even a teacher who works at Stanley told you it could not work	Across the country there are many schools that work with a mixture of needs of children and do this very successfully.
My fear is that my child is stuck in a small space	
You mentioned extra capacity but is this for children who are mobile as you need more room for children who are wheelchair users	Yes we understand this and that is why I was saying 5/10 as it will depend on need
You said that you would be meeting on Friday with Alison McGovern about buildings, how will you let us know if something significant comes out of this	This is part of the whole consultation process and the parent governors of Lyndale are also involved in this and can feed back. We will also include any significant issues in our report to cabinet
We handed you a 7 pages of questions and we want to know when we will get the answers to them	I am going through these at the present time and will get them back to you next week.
I asked the Head Teacher at Foxfield whether they could extend their school and now listening to this I think there is a genesis of an idea re Lyndale replication emerging as an option. Is this not something which needs more consultation? Also should the information not be collected and presented to the parents to see whether they are satisfied and it meets their needs. It would mean delaying but is it not worth exploring	Members will give us direction when we present our report.
Why can't you use this capital investment for The Lyndale?	We cannot use capital money for revenue
I have major concerns about my child going to another school. Hypothetically what will you do if something happens to a child and as we are telling you it is not safe to integrate them?	
We need more than 3 classrooms as we will need hydrotherapy pool, changing facilities etc	We are taking the option of the Lyndale ethos seriously but we will have to work out the detail of this

Appendix 7 – Notes Taken At The Public Meetings

Your dates have not changed even although you say you are looking at all the options	We have done a 12 week consultation process and this is flushing out your views
I want to highlight that you said in your consultation document in the FAQ that the teachers and staff can be redeployed. This is incorrect as there is no redeployment policy in the Local Authority	
I take exception to how you are talking to parents, you are offensive and dismissive	
Why are the head teachers from the other schools not here as they could be answering these questions	Head Teachers have been in attendance at the meeting held at their school
Any decision you make should not contravene the Human Rights Act and you are taking away our choice so how do you square our legal right	We will have to demonstrate that whatever facilities we provide are as good if not better
Why is an officer chairing this and not the lead member	
Will you be looking at the funding formula to ensure there is the correct funding for each child	
Although we have falling numbers, because of all the publicity we have parents wanting to bring their child to Lyndale	
The SEN Improvement Test how does it work? Do they speak to all the schools?	Both schools have made a commitment and they will have an independent plan for each child
When do they do this in writing and at what stage? (SEN Test?)	It will have to be before the Cabinet meeting
You have had 6 meetings and they have been at inappropriate times and we don't know what has been said. Why have we not seen the notes? Why could we not have had the notes which tell us e.g. meeting 1 here are the key issues. These notes should be minutes of meetings	The notes will be reflected in the report. The number of meetings, different venues and different times provided better opportunity for people to come.
Why can't we see the final report	You will be able to see it, it will be posted on the council website 7 days before the meeting. I have had a brief conversation with the parent governors and we will be presenting the report in September 2014 as we don't want to rush it.
The same points are being made 6 or 7	I have given the same intro at each

Appendix 7 – Notes Taken At The Public Meetings

times but I have a strong suspicion that the decision has already been made and all you are really doing is trying to make me feel I have been consulted with but really we have not been.	meeting, we have varied the times and the venues to attract a wide audience
Can we have a paper copy of this document	It will be available
Don't shut Lyndale	

Appendix 7 – Notes Taken At The Public Meetings

Appendix 7 – Notes Taken At The Public Meetings

SPECIAL MEETING OF CABINET

4 SEPTEMBER 2014

44. OUTCOME OF THE LYNDALE SCHOOL CONSULTATION

Prior to consideration of the item the Cabinet considered a video which had been submitted by Ms D. Hughes.

The Leader of the Council, having welcomed everyone to the meeting, invited Ms Zoe Anderson, Parent Governor and parent of a child at The Lyndale School to address the Cabinet. Ms Anderson, spoke on behalf of the staff and parents of the school and spoke of the particular needs of the children at The Lyndale and gave a personal account of her own child's needs and experiences which she felt could only be provided for at The Lyndale School.

Speaking on behalf of parents Ms Anderson made representations in strong support of retaining The Lyndale School, the consultation responses, the expert report and the proposed options.

Ms Anderson specifically stated that the staff at The Lyndale had gained the trust of all the parents to look after their child's medical, physical and educational needs – which was the fundamental concern. Ms Anderson highlighted the excellent support, care and education provided all the children at The Lyndale School. The school had excellent facilities including very good outside space to which the children had full access. Ms Anderson commented that The Lyndale School provided the children with a wonderful sensory environment that was safe and relaxed. She asked that a full review be undertaken of the care given to each individual child by staff at The Lyndale School.

Ms Anderson commented that the school's staff provided specialised care, support and education; they were adept at communicating effectively with the children – skills which took many years to perfect. She stated that it took time to build up trust, and it was unfair that staff did not know what was to happen from week to week. The school played an integral part in the community, and interacted and participated with other neighbouring schools. Ms Anderson shared/circulated a Parents Survey that had been undertaken that showed parents wanted their children to remain at The Lyndale School.

Within her representations, Ms Anderson asked that the funding bands be revisited to reflect the needs of each individual child that attended the school. She highlighted that the school had previously asked for the Schools Forum to revisit the schools banding due to the change in circumstances.

In relation to the consultation document, Ms Anderson reiterated that The Lyndale School was not looking for the Council to enhance the funding but to maintain the funding that was already in place. Ms Anderson stated that parents had confidence in the school but not the process that the parents were involved in. She reminded Cabinet Members that the Council had a legal obligation to listen to the parents under the SEN Test. Ms Anderson drew an analogy with medical consultants who always ask parents for their views and thoughts.

Ms Anderson stated that consultation responses clearly showed overwhelming support for The Lyndale School to be retained. Comments were also made in relation to the consultant (Ms L Wright) and her report.

Concerns were expressed that the ethos of The Lyndale School would not be replicated at either the Stanley or Elleray Park Schools, not least because the children attending these schools had different needs. Ms Anderson stated that the suitability of expanding these two schools was based upon assumptions, which was not evidence; and that simply providing training to staff was no substitute for experience. Concerns were raised over health and safety issues and the need for both schools to be upgraded at considerable cost.

Ms Anderson concluded by stating that experienced and effective staff would leave due to the uncertainty and proposals. There would be no investment in The Lyndale School and it would instead stagnate; and parents would not want or be willing to subject their children to such an outcome.

The Leader of the Council thanked Ms Hughes for her informative video and Ms Anderson for her representations. He acknowledged and confirmed that he appreciated the time and effort expended by everyone in supporting the school and pupils. He indicated that Members of the Cabinet had read all reports, representations and the feedback received in relation to The Lyndale School and had also met with parents and staff. He sincerely thanked all staff and parents.

Introduced by the Director of Children's Services, the Cabinet considered the report from the Director of Children's Services which detailed the outcome of the consultation on the closure of The Lyndale School.

The report outlined the responses received during the consultation, reviewed alternative options identified, as well as detailing the outcome of the SEN Improvement Test.

The report indicated that, on 16 January 2014 (Minute 129 refers) Cabinet agreed to undertake a consultation on the closure of The Lyndale School. The consultation closed in June 2014. The report recommended that Cabinet considered the contents of the report and made a decision on this matter.

The Director of Children's Services commended the care, quality and passion of the staff at The Lyndale School which was endorsed by Ofsted and noted their excellent quality of care towards all pupils who attended the school and indicated that she along with her Department would be working closely with all staff and parents to end the uncertainty surrounding the future of The Lyndale School and bring this to a conclusion as soon as possible for both children, parents, and staff.

In relation to consultation, the Director of Children's Services indicated that she had met with parents, school staff, school governors and an MP; Councillors had also undertaken site visits to the schools and various public meetings had been held to encourage consultation and feedback.

In relation to concerns raised by parents regarding health and safety at Elleray Park and Stanley School these were sent to both Headteachers of the schools who responded to the Council who then responded to the parents questions.

In relation to staff, the Director of Children's Services indicated that she had spoken to all staff at The Lyndale School when she visited as and reiterated that those affected would be fully supported throughout the transition as far as the Council can do.

In response to comments from parents, the Director of Children's Services indicated that there had been no evidence to suggest that parents had been steered away from The Lyndale School by Children's Services officers although accepted that due to the uncertainty that surrounded The Lyndale School this could be a contributing factor.

In relation to the option in which it was proposed that The Lyndale School close and a new PMLD base be opened on the new Foxfield site, the Director of Children's Services indicated that she had recently spoken with the Headteacher of Foxfield School who had spoken with his Chair of Governors and the Headteacher indicated that it would be inappropriate to have a primary setting even in a separate unit, therefore this option could not be considered.

The Chair welcomed Ms Lynn Wright, Independent Consultant, who had been appointed to consult on the proposal to close The Lyndale School, the options, including those which had emerged throughout the consultation period, and give her view on the SEN Improvement Test.

Ms Wright gave feedback on her findings in relation to each of the options considered; the full report was attached as an appendix.

In response to the Council's intention to increase the closure period from 2015 to 2016, Ms Wright advised against this as this would have huge implications

for the pupils and staff that already had gone through a long period of uncertainty. Ms Wright indicated that the funding system had changed nationally and that schools that were no longer viable or sustainable should not be allowed to continue.

The Leader of the Council thanked Ms Wright for her detailed report and feedback on the considered options.

The Cabinet Member for Children and Family Services thanked all staff and parents for their comments and feedback and indicated that the Cabinet had considered all options in a transparent manner and had listened carefully to what had been said. Cabinet Members were reminded to have regard to the Council Referral under the previous Agenda Item in considering this matter. The Cabinet Member reiterated the need for stability at The Lyndale School and that this had been looked at for both financial and educational reasons, which had to be taken into consideration due to the funding formula changes introduced by Central Government.

Councillor T Smith moved the following motion duly seconded by G. Davies:

- (1) Cabinet thanks all those who have participated in the consultation exercise, with particular regard to submissions from parents of children at The Lyndale School;
- (2) Having reviewed the responses received during the consultation process, analysed the alternative options and applied the SEN Improvement Test, it is recommended that:
 - Statutory notices be published in respect of the closure of The Lyndale School from January 2016.
 - That Wirral Council, under the leadership of the Director of Children's Services, work individually, with children and families, towards effecting a smooth and supportive transition to an alternative place at one of the following schools:
 - Elleray Park Special School
 - Stanley Special School
 - Another appropriate school
 - In doing so, that the Director of Children's Services, in acknowledgement of the close relationships that exist between staff and pupils at The Lyndale School, investigates if staff could be employed, where possible, at receiving schools, (subject to legal practice and the approval of governing bodies).
 - The Director of Children's Services be authorised to take all necessary steps to publish the proposals and ensure the prescribed

procedures are followed, including requesting permissions from the Secretary of State, in furtherance of the proposals.

- A further report be brought on the outcome of the publication of the statutory notices.

and outlined the following reasons for the motion.

Having looked at all the options, and applied the SEN Improvement Test, it is our opinion that, while we recognise the special place that The Lyndale School has in the affection of parents and children, the continued operation and maintenance of a school of this size will not meet the future educational needs of the children, nor is a financially viable option, especially when there are good alternative options available.

The Council has a responsibility to ensure for the sustainable future provision of education for the pupils of The Lyndale School. In addition, we have to manage resources effectively for all schools and the school population.

This was a difficult decision to make, and we would like to affirm our continued intention to work positively with the families and the children affected, and reassure parents of our continued commitment to their child's wellbeing and education.

Councillor P. Davies moved an amendment, duly seconded by Councillor Mooney, that an additional point be included in the motion, namely:

- The Director of Children's Services to ensure that Education, Health and Care Plans for all pupils of The Lyndale School are completed by 31st October 2014.

which was carried unanimously.

IT WAS RESOLVED: That

- (1) Cabinet thanks all those who have participated in the consultation exercise, with particular regard to submissions from parents of children at The Lyndale School;**
- (2) Having reviewed the responses received during the consultation process, analysed the alternative options and applied the SEN Improvement Test, it is recommended that:**
 - **Statutory notices be published in respect of the closure of The Lyndale School from January 2016.**
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families, towards effecting a smooth and supportive transition to an alternative place at one of the following schools:

- **Elleray Park Special School**
 - **Stanley Special School**
 - **Another appropriate school**
- **In doing so, that the Director of Children's Services, in acknowledgement of the close relationships that exist between staff and pupils at The Lyndale School, investigates if staff could be employed, where possible, at receiving schools, (subject to legal practice and the approval of governing bodies).**
- **The Director of Children's Services be authorised to take all necessary steps to publish the proposals and ensure the prescribed procedures are followed, including requesting permissions from the Secretary of State, in furtherance of the proposals.**
- **A further report be brought on the outcome of the publication of the statutory notices.**
- **The Director of Children's Services to ensure that Education, Health and Care Plans for all pupils of The Lyndale School are completed by 31st October 2014.**