

OUTCOME OF STATUTORY NOTICE CONSULTATION ON THE PROPOSED RELOCATION OF GILBROOK SPECIAL SCHOOL

EXECUTIVE SUMMARY

At its meeting of 1st October 2009, Cabinet decided that following consultation with governing bodies, staff, parents and other stakeholders, statutory notices should be published regarding the proposed relocation of Gilbrook Special School to the former site of Arrowe Hill Primary School. Notices were published on 14th October 2009. This report describes the outcome of the subsequent representation period and recommends that the proposal be approved.

1.0 Background

- 1.1 The Governing body of Gilbrook School, a special school with 50 places for primary age pupils with emotional and behavioural issues, has expressed an interest in relocating to larger premises with improved facilities to carry out additional behaviour support work to mainstream schools. The school is currently located in a semi-industrial area on Pilgrim Street, Birkenhead, but serves pupils from the entire Wirral area. A Sports Barn is located on the Gilbrook site.
- 1.2 The closure of Arrowe Hill Primary School, Glebe Hey Road, Woodchurch, resulted from Phase 4 of the Primary Places Review. The school will formally close on 31st August 2009.
- 1.3 Relocating to the former Arrowe Hill building would increase the net floor area available to Gilbrook by a third, and although the school would no longer have access to the Sports Barn, the total site area available to the school would triple including a substantial increase in hard and soft play area. The Authority would retain the former Infant building for storage purposes.
- 1.4 At its meeting of 28th May 2009 Cabinet instructed that a formal consultation should be carried out with various stakeholders. This consultation ended on 31st July 2009 and was reported to Cabinet on 1st October 2009. Cabinet approved the publication of statutory prescribed alteration notices, which were published on 14th October 2009.

2.0 Proposal publication

- 2.1 On 14th October 2009, prescribed alteration notices for the relocation of Gilbrook Special School were widely published, including the local press (Wirral Globe), entrances to Gilbrook School, as well as at The Swinging Arm public house, at the entrance gates of the former Arrowe Hill Primary School and at Woodchurch Post Office, Hoole Road, Woodchurch. The notices were also published on-line at the Council's consultation website - [www.wirral-
mbc.gov.uk/Gilbrook.asp](http://www.wirral-
mbc.gov.uk/Gilbrook.asp) and provided to Woodchurch T.R.U.S.T (residents association). All parents of pupils attending Gilbrook School were provided with a copy of the statutory notice.
- 2.2 Under the Education and Inspections Act 2006, in addition to the statutory proposal notice, a more detailed "complete proposal" must be produced. Copies of the notice and complete proposal were provided to the school, the Secretary of State, the Anglican and Catholic Diocesan bodies and all relevant persons and groups named in the guidance. The documentation was also made available on the Council's website (see above). The notice and complete proposal are attached as Appendix A.
- 2.3 Following the publication of notices, there is a statutory six week representation period during which objections or comments on any proposal can be sent to the Director of Children's Services. This was clearly stated on the notices. Any person can request a copy of the full proposal, however no requests were received.

3.0 Outcome of the representation period

- 3.1 The statutory representation period ended on 25th November 2009. During this time, the Director of Children's Services received no written comments in relation to the proposal. This is not entirely unexpected, since the proposal had received strong support from staff, governors and parents of pupils at Gilbrook School during the consultation period.
- 3.2 As a prescribed alteration published in accordance with paragraph 9 of Part 1, Schedule 2 of the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended 2009) (SI: 2007 No. 1289), under paragraph 30 of Part 2, Schedule 5 of SI: 2007 No.1289, the decision on the proposal for the transfer of site of Gilbrook Special School rests with the Council's decision making body, which is Council's Cabinet.

4.0 Decision makers guidance

- 4.1 Statutory guidance for decision makers on prescribed alterations is attached as Appendix B. This guidance is currently under review by the DCSF, but indicates that decision makers should consider the following factors:
- Has the statutory process been carried out properly?
 - Will proposals for change contribute to raising local standards of provision and improved attainment?
 - Will the proposal contribute to local diversity?
 - Will the proposal help every child to achieve their potential in accordance with Every Child Matters principles?
 - Are any sex, race or disability discrimination issues that arise from the changes being proposed?
 - Will alternative provision meet the statutory SEN improvement test?
 - Have travel arrangements been taken into account?
 - Is the capital required to implement the proposal available?

These will be considered in turn.

Statutory process

- 4.2 The published notice is valid, and complies with the statutory requirements and adequate statutory consultation has been carried out prior to publication of the notice. The proposal is not related to any other published proposal and can be considered on its own.

Raising standards and attainment

- 4.3 The Governing body of Gilbrook Special School indicated that the proposed move could bring benefits to pupils education, including more classrooms, which could help reduce class sizes, and better quality accommodation for the exclusion base.

Diversity

- 4.4 The proposal is for the relocation of Gilbrook School which maintains diversity of provision in Wirral.

Every Child Matters

- 4.5 The Every Child Matters outcomes are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. Guidance indicates this could include how the school will provide a wide range of extended services, opportunities for personal development, access to academic and vocational training, measures to address barriers to participation and support for children and young people with particular needs, for example looked after children or children with special educational needs (SEN) and disabilities.
- 4.6 The Governing body has indicated that the relocation will provide more meeting spaces for various agencies, including social care, health and education, as well as one to one sessions

with parents, more capacity to provide extended services, and more space to carry out additional behaviour support training and advice to mainstream schools.

Equality

4.7 There are no equality issues arising from the proposal.

SEN Improvement Test

4.8 When Local Authorities plan changes to their existing SEN provision, there is a requirement to demonstrate likely improvements in provision in terms of access to education and associated services, access to specialist staff including external support and outreach services, improved access to suitable accommodation, and an improved supply of suitable places. This is summarised below.

- More classrooms, which should help reduce class sizes even further
- Better quality accommodation for the exclusion base
- More meeting spaces for various agencies including social care, health, education and parents, as well as one to one sessions with pupils
- More capacity to provide extended services – parents weekly workshops, for example
- More car parking and a larger staffroom
- More space to carry out additional behaviour support training and advice to mainstream schools.

Travel arrangements

4.9 Travel to school arrangements would continue as specified in the Authority's information booklets for parents, which are that the Authority would pay the travel costs of children attending Gilbrook either by providing a travel pass for pupils able to travel by public transport, or by arranging travel on the Authority's own or contracted vehicles, including providing an escort if necessary.

Availability of Capital

4.10 The 2009/10 Schools Capital programme approved by Cabinet on 28th May 2009 includes £200,000 to facilitate the move to the former Arrowe Hill building.

5.0 Decisions and Right of appeal

5.1 As the Council's decision maker, Cabinet can decide to approve the proposals, approve the proposals with a modification or meeting a specific condition, or decide to reject the proposals.

5.2 Taking all the factors involved into account, it is recommended that Cabinet approve the proposal for the relocation of Gilbrook Special School to the former site of Arrowe Hill Primary School.

5.3 Right of appeal on Cabinet's decision on this prescribed alteration is limited to the Anglican Diocese of Chester, and the Catholic Diocese of Shrewsbury. Either of these two bodies could submit an appeal within 4 weeks of the decision. The proposals would then pass to the School's Adjudicator within 1 week for a final decision, which is likely to take at least 6 weeks and could include further public consultation.

6.0 Financial Implications

6.1 The 2009/10 Schools Capital programme approved by Cabinet on 28th May 2009 includes £200,000 to facilitate the move to the former Arrowe Hill building.

6.2 If the proposal is approved, as a change in place of employment beyond their control, Gilbrook staff (teaching and non-teaching) may be entitled to claim Disturbance and Travelling Allowance for four years, equivalent either to weekly or monthly train/bus fare or additional travel mileage allowance for essential car users.

7.0 Staffing Implications

7.1 As a relocation, it is expected that all current staff will transfer to the new building. The only effect upon the staff will be in terms of them having to work in a new location (See 6.2 above).

8.0 Equal Opportunities Implications

8.1 It is essential to plan school provision across the Authority so that it is both efficient and effective in the interests of all pupils.

8.2 An Equality Impact Assessment will be carried out in relation to this report.

9.0 Community Safety Implications

9.1 Rationalisation and refurbishment of schools allow the most vulnerable accommodation to be removed and other security improvements carried out.

10.0 Local Agenda 21 Statement

10.1 The provision of efficient and effective education is a vital part of serving local communities; inefficient use of resources is wasteful both in educational and physical resource terms.

11.0 Planning Implications

11.1 Any proposals that may arise from school re-organisation would be subject to the usual planning processes.

12.0 Anti-Poverty Implications

12.1 The redistribution of funding released by school reorganisation, in combination with the Authority's intention to realign the schools budget to give higher levels of funding to schools with high levels of deprivation, as well as improved accommodation, goes towards raising aspirations and narrowing the attainment gap for vulnerable groups.

13.0 Social Inclusion Implications

13.1 School re-organisation and transforming accommodation through the Primary Capital Programme and other schemes, provides opportunities to promote joint agency work to promote co-ordinated solutions for pupils and their families.

14.0 Local Member Support Implications

14.1 Special school provision has relevance to all Wards.

14.2 Gilbrook School and the Wards in which the two sites are situated, which are Birkenhead and Tranmere and Upton.

Recommendations

- (1) That the statutory prescribed alteration to transfer the site of Gilbrook Special School to the former site of Arrowe Hill Primary School be approved.
- (2) That the Director of Children's Services be authorised to take all necessary steps to ensure the prescribed procedures are followed in furtherance of the proposal.

Howard Cooper

Director of Children's Services