

**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.

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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

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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

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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.

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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

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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.

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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

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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.**