



25th July 2022

Report Title:	APPROVAL TO PUBLISH A PUBLIC NOTICE TO CONSULT ON CHANGES TO ARRANGEMENTS AT THE OBSERVATORY SCHOOL
Report of:	ASSISTANT DIRECTOR CHILDREN, FAMILIES AND EDUCATION

REPORT SUMMARY

The report seeks approval to publish a Public Notice of the Prescribed Alteration proposal to consult on making changes at The Observatory School.

Approval to publish is a non-key decision.

The Observatory School serves young people from all wards.

Wirral Plan vision: “Brighter Futures”

RECOMMENDATION/S

The Director of Children, Families and Education is recommended to approve the publication of a Public Notice relating to The Observatory School to consult on the following changes:

- Change the lower age limit from 11 to 8
- Permanent change to the number of places to 100 and also
- Expansion onto a satellite site

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is recommended to publish a public notice on the Prescribed Alterations for changes at The Observatory School in order to permanently change the school's lower age range following a successful trial scheme to offer places for Key Stage pupils, and to permanently increase the number of places offered at The Observatory School for young people with SEND in accordance with this alteration and in line with the current placement arrangements in operation.
- 1.2 It is also recommended that a consultation is held on a Prescribed Alteration to expand onto a satellite site, taking advantage of an accommodation opportunity arising due to changes elsewhere in the school sector, which will enable the school to offer defined Key Stage 4 provision for pupils with SEND

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The school ends the trial and ceases to offer Key Stage 2 pupil places. This option is not supported by the success of the current provision for this age range.
- 2.2 The Council establishes additional accommodation on the current site for Key Stage 4 pupils. This would incur significant cost for new build or modular accommodation in comparison to the option to re-purpose the former Leasowe Nursery School building and site.

3.0 BACKGROUND INFORMATION

- 3.1 The Observatory School is a mixed 11-16 community special school for pupils with social, emotional and mental health needs (SEMH).

Age range

- 3.2 In April 2018, the School began a trial scheme to offer a small number of base places for children in Year 5 and Year 6. The trial Key Stage 2 base has proved successful. The Council and the School now wish to make the trial scheme into a permanent change to the School's age range.
- 3.3 Year 5 and Year 6 are Key Stage 2 year groups and whilst there are no current plans to admit any Year 3 or Year 4 pupils, the view of the Council and the School is that the proposed age range change should incorporate all Key Stage 2 year groups as forward planning in case the need arises in future. Linked to this is a proposal to formally increase the number of places at The Observatory School.

Number of places

- 3.4 Prior to 2008, the School offered 40 places across the 11-16 age range. To accommodate a projected increase in demand for specialist provision, the offer was expanded to 50 places following consultation with the Schools Forum, then to 55 places from September 2015. A further expansion to 76 places was put in place from September 2019.
- 3.5 At January 2022, there were 86 11 to 16 age pupils on roll, with an additional 18 in the Key Stage 2 base. The Council and the School wish to make the increase in places into a permanent change, incorporating the Key Stage 2 base places resulting from the change in age range.

Satellite site – not linked to other alterations

- 3.6 Leasowe Nursery School and Adult Learning Centre is relocating to co-locate with Castleway Primary School following a governor-led federation. From January 2023 the former nursery school site will be open for alternative usage as a satellite site for The Observatory School. The existing and proposed satellite site are closely located. The driving distance between the two sites is 2.3 miles, the walking distance is 1.4 miles.
- 3.7 This is specialist provision for young people with an EHCP and there should not be any impact on other educational institutions locally. Young people attending specialist schools generally attend via assisted minibus type transport or public transport rather than individual vehicles and there should not be any increase in motor vehicle traffic as a result.
- 3.8 Admission to the School will remain via an Education Health and Care Plan (EHCP). The satellite site is expected to accommodate pupils in the Key Stage 4 year groups – Year 10 and Year 11. Staff employed by the School may be required to work across both sites.
- 3.9 Whilst the satellite site would facilitate the School in delivering education to young people - it is not linked to the other proposals in this notice.
- 3.10 These proposals require a Public Notice followed by a four week representation period; the outcome of this would be reported to the Local Authority Decision Maker for a decision whether or not to proceed with the proposal.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications to the Council in relation to the formalisation of the extended age range or increasing the number of places provided. The school is a maintained school funded by the Dedicated Schools Grant (DSG).
- 4.2 Project costs associated with re-configuring the satellite site for secondary age pupils have yet to be formalised. They will form part of the report to the Council's decision maker prior to a decision being taken and are expected to be met as part of the Council's Capital Programme for Children, Families and Education. Any planning implications that may result would follow the usual procedures.

5.0 LEGAL IMPLICATIONS

- 5.1 Section 19(1) of the Education and Inspections Act 2006 and section 5(1) of the School Organisation (Prescribed Alterations to Maintained Schools)(England) 2013 apply.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Staff employed by the School may be required to work across both sites.

7.0 RELEVANT RISKS

- 7.1 Failure to decide the outcome of the proposal(s) within 2 months of the end of the representation period will mean that the final decision is made by the Schools Adjudicator.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 This report asks for permission to publish a Public Notice, which will be posted on the Wirral Council website, the school's website, at the school itself and elsewhere in the local area. All statutory consultees will be notified.
- 8.2 Any person can make a comment or objection to the proposals within 4 weeks of the date of the Public Notice. Any comments or objections received will be considered by the Local Authority decision maker, and a decision made within 2 months of the end of the four week representation period.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

An equality impact assessment has been completed and is available at
<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments/equality-impact-assessments-2021>

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 The content and/or recommendations contained within this report are expected to have no impact on emissions of Greenhouse Gases.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 An ONS report in 2020-21 found that SEND impacts on employability and economic activity within the community.
- 11.2 Young people with SEND are also statistically more likely to be involved in anti-social behaviour and also to enter custody than those without SEND. Anti-social behaviour affects the entire community and develops from a combination of risk factors associated with individuals, families, schools and communities. Anti-social behaviour evolves over childhood, beginning even as early as pre-school and peaking in late adolescence and early adulthood. 11.3 The proposals to be consulted upon are intended to make permanent the trial arrangements for places at The Observatory School provided for Key Stage 2 aged pupils. Early intervention and access to quality targeted educational provision can reduce the severity and frequency of challenging behaviour, improving engagement with education, employability and also personal self-esteem, reducing susceptibility to community risks and improving quality of life.
- 11.4 Renovating the former Leasowe Early Years building for use by Key Stage 4 pupils maintains the building and grounds within the community for educational use, which might otherwise be standing empty and at risk of damage, dereliction and security issues. As a Key Stage 4 site, the Observatory satellite could also provide a transitional stepping stone from school to college/employment and training.

REPORT AUTHOR: Name Sally Gibbs
Senior Manager Admissions and Place Planning
0151 666 4487
email: sallygibbs@wirral.gov.uk

APPENDICES

None

BACKGROUND PAPERS

Making significant changes ('prescribed alterations') to maintained schools statutory guidance for proposers and decision-makers

[ONS Disability and employment dataset 2021](#)

Schools Forum minutes: 8th October 2008; 13th January 2016; 4th July 2018; 16th January 2019

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Schools Forum Policy and Resources Committee	15 th January 2020 15 th February 2022