

## **CABINET MEMBER FOR CHILDREN AND EDUCATION SERVICES**

**Venue: Rotherham Town Hall**

**Date: Monday, 16th February, 2015**

**Time: 10.00 a.m.**

### **A G E N D A**

1. To determine whether the following items should be considered under the categories suggested in accordance with Part 1 of Schedule 12A (as amended March, 2006) of the Local government Act, 1972.
2. To determine any item(s) the Chairperson is of the opinion should be considered later in the agenda as a matter of urgency.
3. Apologies for absence.
4. Declarations of Interest.
5. Minutes of the previous meeting of the Cabinet Member for Children and Education Services held on 12th January, 2015. (Pages 1 - 7)

Provided 15<sup>th</sup> January, 2015: -

The following matters arising updates have been provided in relation to the questions asked by members of the public at the previous meeting relating to the Abbey School consultation period.

#### School Opening fully:

The Interim Executive Board (IEB) at Abbey School expects the School to be fully open to all pupils from Monday 19<sup>th</sup> January, with every child on roll having a good learning experience in a safe and happy environment. Actions taken over the past three school weeks have moved us significantly closer to this position.

#### LA Officers advising parents to transfer pupils:

The interim Executive Board (IEB) at Abbey School met with Local Authority Officers to seek assurances that parents and carers will not be put under duress in relation to moving their child to another school. However it is clear in a small number of cases that some pupils needs may be met more fully in an alternative provision. The IEB are working closely with School Leadership, the Local Authority and Parents and Carers to address these issues.

6. Proposal to increase the Published Admission Number at Brinsworth Whitehill Primary School. (Pages 8 - 10)
7. Rotherham Parent Forum Funding. (Pages 11 - 13)
8. eSuite Data Management System - continuation of support and maintenance. (Pages 14 - 16)

**The Cabinet Member for Children and Education Services authorised consideration of the following reports received after the deadline to progress the matters referred to: -**

9. MISPER Service. (Pages 17 - 19)
10. Aston Lodge Primary School - replace Nursery. (Pages 20 - 21)
11. Review of Abbey School. (Pages 22 - 35)

**CHILDREN AND EDUCATION SERVICES**  
**12th January, 2015**

Present:- Councillor (in the Chair); Councillors Beaumont, Lelliott and Roche.

**F36. QUESTIONS FROM MEMBERS OF THE PUBLIC.**

A member of the public referred to a letter published in the Rotherham Advertiser from a parent of a child at Abbey School. The parent was concerned about her daughter's education as, for half of the time, the School was closed to children and no reason had been given. The member of the public stated that the Local Authority should ensure that Schools were open all of the time. For example, if children were absent because they had been taken on holiday, parents would end up being fined. If the School had to be closed, parents should be given specific reasons as to why it had been closed, not general reasons.

The Service Lead for School Planning, Admissions and Appeals (Schools and Lifelong Learning, Children and Young People's Services Directorate) was shortly due to meet with the Interim Executive Board at Abbey School and would pass this information on to them.

Councillor C. Beaumont, Cabinet Member for Children and Education Services, referred to the duty on the Local Authority and Schools to ensure the safety of children and young people and to inform parents and carers if this was not the case. She agreed that reasons for any instances of school closures did need to be provided for every closure.

The member of the public asked a supplementary question and referred to a pressure campaign to make Abbey School unviable. He was aware of a parent who had been pressured by the Associate Headteacher who had stated that the parent's child would have to be educated at home if they did not accept an alternative school place immediately. The member of the public felt that this type of pressure made a joke of the democratic and consultation processes. If the School lost more than 50% of its students it would be de facto shut. The Local Authority must ensure that parents are not put under pressure to move their children. If and when the School closed the pupils should be guaranteed a place at another school at that point.

The Service Lead for School Planning, Admissions and Appeals (Schools and Lifelong Learning, Children and Young People's Services Directorate) confirmed that no Officers of the Local Authority were saying this to parents and carers. All Officers were aware that this was a consultation process and the decision would be a political one. The Local Authority considered Abbey School as operational until a final decision was made by elected members in June. The Service Lead agreed to pass this back to the Interim Executive Board.

The Cabinet Member for Children and Education Services referred to the external consultant's report, which would also inform the consultation process.

A member of the public referred to different messages he was hearing with regards to the involvement of Mr. Burman in Abbey School. In previous meetings it had been shared that Mr. Burman had left from this position of responsibility. However, the same day Mr. Burman had attended a meeting in Abbey School and still retained an education influence at the School. The member of the public asked for correct information.

The Service Lead for School Planning, Admissions and Appeals confirmed that Mr. Burman was still the Executive Headteacher at Abbey School. The minutes of the meeting of the Cabinet Member for Children and Education Services of 8<sup>th</sup> December made reference to the Interim Executive Board (which has replaced the Governing Body), not the Executive Headteacher.

The Cabinet Member could not recall confirming this at any meeting, but agreed to look back carefully at the minutes of the meetings.

The member of the public stated the information was shared at meetings on 8<sup>th</sup> and 10<sup>th</sup> December, 2014.

**F37.       DECLARATIONS OF INTEREST**

No Declarations of Interest were made at the meeting.

**F38.       MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting of the Cabinet Member for Children and Education Services held on 8<sup>th</sup> December, 2014, were considered.

Resolved:- That the minutes of the previous meeting be agreed as an accurate record.

**F39.       CHILDREN AND YOUNG PEOPLE'S SERVICE REVENUE BUDGET MONITORING REPORT TO 30TH NOVEMBER, 2014.**

Consideration was given to the report presented by the Finance Manager for Children and Young People's Services and Schools (Financial Services, Resources Directorate) that provided a budget monitoring update on the Children and Young People's Service revenue budget to the end of March, 2015.

The budget monitoring report was based on actual income and expenditure to the end of November, 2014. Overall, the Directorate was projecting an over-spend outturn position of £4.262M, which was an increase of 9.8% of the total budget. The reported position at the end of

November was an increase of £233,000 since the October budget monitoring report.

The report gave the net budget and forecast outturn for each division of service within the whole Directorate, and any variations.

The main variances were outlined, along with the underlying reasons shown in the submitted report. The main areas of over-spend related to:-

- Academy conversions – treatment of deficits - £310,000 (previous provision had also been made in the 2013/2014 accounts);
- Child Protection Teams - £125,000;
- Children in Need Social Work Teams - £579,000;
- Looked After Children - £3,502,000.

Some of the overspends were off-set against under-spends in other areas as outlined in the submitted report.

The Adoption Reform Grant that was first received in 2013/2014 was reduced by £746k in 2014/2015. The grant significantly mitigated LAC budget pressures in 2013/2014 on a temporary basis.

As at the end of November, 2014, there were 409 Looked After Children, which was an increase of 7 since the October budget monitoring report and an increase of 9 as at March, 2014. The submitted report outlined the type of looked after children's placement, along with current and previous financial year costs, including whether they were based in Out of Authority Residential settings, and independent or in-house fostering settings.

The report also outlined the use of Special Guardianship and Residence Orders. There was a continuing push to secure permanency for some children via these routes rather than becoming or remaining looked after children. This sought to reduce the numbers of Looked After Children and also provide better outcomes for children and young people.

Management actions had contributed £698,000 of cost avoidance which would otherwise have been incurred. These related to a reduction in placement costs of £598,000, the Fostering Framework had achieved £48,000 of cost avoidance, the Block contract had avoided £52,000 and the multi-agency support panel and the Valuing Care review would identify potential areas for cost renegotiations and ongoing savings in 2014/2015.

Further information was provided in relation to:-

- Agency spend totalled £655,000 as at 30<sup>th</sup> November, 2014. This compared to an actual cost of £541,000 for the same period last year;

- Non-contractual overtime totalled £66,000 as at 30<sup>th</sup> November, 2014, excluding schools. This compared to an actual cost of £84,000 for the same point last year. The overspend related mainly to cover in Residential Units.

Discussion followed and the following issue was raised: -

- Working with Schools that were in the process of converting to be academies, especially in the cases where there would be a deficit balance for the Local Authority to pick-up.

Resolved: - That that latest financial projection against budget for the year on actual income and expenditure to the end of November, 2014, be noted.

**F40. ROTHERHAM'S INTEGRATED YOUTH SUPPORT SERVICE - QUARTERLY UPDATE.**

Resolved: - That this item be deferred to the next meeting for further information.

**F41. PROPOSAL TO MAKE A PRESCRIBED ALTERATION TO THE KILNHURST AUTISM RESOURCE CENTRE, HOOTON ROAD, KILNHURST**

The Service Lead, School Planning, Admissions and Appeals, submitted a proposal to enter a Pre-Statutory Consultation phase to transfer the Kilnhurst Autism Resource Unit from Kilnhurst Junior and Infant School to Milton School control.

The discontinuance or transfer of a SEN Unit attached to a Maintained 'mainstream' School was classed as a 'prescribed alteration' under the 'School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013' and, therefore, necessary to consult on the proposals including a 4 weeks representation period prior to implementation.

There were no cost implications to the proposal; the building, associated resources and staff employed at the Unit would be transferred from under the control/employment of Kilnhurst to the control/employment of Milton School. A Service Level Agreement would be implemented between the two Schools to ensure smooth transition and onward operation.

Resolved:- (1) That Pre-Statutory Consultation commence on the following proposals:-

- (a) To discontinue the Kilnhurst Autism Resource Centre as an annex of Kilnhurst Junior and Infant School;

(b) Transfer control of the Unit to become a Satellite Unit of Milton School.

(2) That a further report be submitted to the Cabinet Member with details of the outcome of the consultation.

**F42. PROPOSAL TO MAKE PRESCRIBED ALTERATIONS TO MILTON SCHOOL, STOREY STREET, SWINTON**

The Service Lead, School Planning, Admissions and Appeals, submitted a proposal to expand Milton School by the addition of the Kilnhurst Unit satellite. The DfE School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 required a formal Pre-Statutory and Statutory Consultation process to be undertaken where expansion was above 10% of an existing Special School roll or there is a change of age range or type of SEN provision. The proposed expansion of Milton School exceeded the threshold.

It was proposed:-

- To re-designate Milton School as a school for pupils with learning difficulties. It was proposed to extend its remit beyond its current role for pupils with moderate learning difficulties. This would support greater diversity and parental choice as well as enabling the Local Authority to provide more flexibility in and targeting of placement decisions
- To increase the Admission Number at Milton School from 100 to 120 pupils by placing the specialist unit at Kilnhurst Primary School under its management and governance

Specialist provision would continue to be funded from the High Needs Block. The overall cost of specialist provision was not anticipated to change as a result of the proposal. The proposal would improve the Local Offer and consequently may realise savings on current out-of-authority and specialist provider expenditure.

The proposed timelines for the Pre-Statutory Consultation was included in the submitted report.

Resolved:- (1) That Pre-Statutory Consultation commence on the proposal to make prescribed alterations to Milton School.

(2) That a further report be submitted to the Cabinet Member at the end of the consultation period.

**F43. TWO-YEAR OLD EARLY EDUCATION CAPITAL FUNDING PROPOSAL**

The Childcare Sustainability Manager (Early Years and Childcare Strategy, School Effectiveness Service, Children and Young People's Services Directorate), reported on proposals to revise the method of allocating future capital funding to ensure more early education places for 2 year olds were created in areas of need and to ensure stabilisation of the childcare market due to significant changes in the market.

The 2011 Education Act stated that all economically disadvantaged and looked after 2 year old children would be entitled to 570 hours free early education from September, 2013. From September, 2014, this had increased to include more low income families, children with a special educational need or disability (SEND) and children no longer looked after but not returned to their family e.g. adopted children). The DfE estimated that in Rotherham approximately 1,600 children from September 2014, would meet the eligibility criteria.

Cabinet had approved the capital strategy to deliver sufficient early education places to meet the statutory entitlement for 2 year olds (Minute No. 94 of the former Cabinet Member for Children, Young People and Families Services 13th March, 2013). It was originally intended to fund new places at a rate of £480 per new place created. To date 399 new places had been created across 14 providers (9 new providers created, 5 existing providers expanded) at a cost of £192,000. The childcare sufficiency analysis, which formed the basis of the original capital strategy, had been repeated in the Summer 2014 which had shown that the position had changed significantly due to a large increase of childminders who were now contracted to deliver early education places (19 to 81), the creation of new provision with support of the capital funding and the creation of new provision without capital funding.

The level of early education take-up by 2 year olds in Rotherham was one of the highest in the country with 78% of 2 year olds taking up a place in the Autumn term (compared to the national average of 55%).

In light of the above, it was proposed to revise the future allocation of capital funding:-

- Utilise the capital funding to make the necessary changes to Children's Centre buildings which will remain open in 2015/16
- Work with existing providers in geographical areas of need to identify potential to expand and fund them at a rate of £480 per new place created
- If, after 1 and 2 above, there was still a lack of capacity, open up opportunities for new provision to be created by either existing or potential new providers



- Retain capital funding into 2015/15 to ensure that further provision could be created if required following Summer 2015 childcare sufficiency analysis

Resolved:- That the proposal to review the 2 year old capital spend, as set out in the report submitted, be approved.

**F44. DATE AND TIME OF THE NEXT MEETING: -**

Resolved: - That the next meeting of the Cabinet Member for Children and Education Services take place on Monday 16<sup>th</sup> February, 2015, to start at 10.00 a.m. in the Rotherham Town Hall.

<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet Member and Advisers for Children and Education Services</b>
<b>2.</b>	<b>Date:</b>	<b>16<sup>th</sup> February 2015</b>
<b>3.</b>	<b>Title:</b>	<b>Proposal to increase the Published Admission Number at Brinsworth Whitehill Primary School</b>
<b>4.</b>	<b>Directorate:</b>	<b>Children and Young People's Services</b>

### **5. Summary**

The Governing Body of Brinsworth Whitehill Primary School have requested an increase in current Published Admission number (PAN) arrangements from 42 to 45. As the request falls below the threshold for a 'prescribed alteration' under the requirements of the 'School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013' Cabinet Member approval is necessary to formalise the request.

### **6. Recommendation:**

**It is recommended that the Cabinet Member approves:**

- 1) the proposal for Brinsworth Whitehill Primary School to increase its Published Admission Number from 42 to 45 to provide additional school places from 2016/17 onwards on a permanent basis.**
- 2) the school to commence this transition for the 2015/16 academic year in the interim period.**

## **7. Proposals and Details**

The proposal is to increase the School's current admission number from 42 to 45 from September 2015 onwards.

As the timeframe to increase the admission number formally within the admissions consultation for 2015/16 has passed, it is proposed to formally increase the admission number to 45 from 2016/17 onwards.

The next admissions consultation to be undertaken in the Autumn term 2015 will state the current admission number and increased future number. This will also allow the school to take up to 45 pupils in the 2015/16 Academic Year with the agreement of the Local Authority.

The increased Public Admission Number is being requested to accommodate projected higher cohort numbers in future years. The Local Authority has previously requested the School to consider this permanent increase.

## **8. Finance**

Funding for the additional pupil places will be generated following the annual school census in October and funding allocated based on numbers on roll.

## **9. Risks and Uncertainties**

There are always risks and uncertainties when school place provision is considered since future pupil numbers and consequently, individual school budget funding, are both based on estimated projections at a point in time. Over provision at one school could have a negative impact on provision at other schools. Local Authorities have a duty, however, to provide sufficient places, promote diversity and increase parental preference.

## **10. Policy and Performance Agenda Implications**

The major theme supported by the proposal is 'to ensure that everyone has access to skills, knowledge and information to enable them to play their part in society'. It is likely that the increase in Published Admission Number (PAN), would enable more parents to access their catchment area and first preference school for their child and, therefore, increase that performance indicator.

Rotherham School Improvement Mission:

- All children will make at least good progress
- There will be no underperforming cohorts
- All teachers will deliver at least good learning
- All schools will move to the next level of successful performance

**11. Background Papers and Consultation**

Annual School Admission arrangements Consultation

Annual School Capacity and Planning (SCAP) return to DfE

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

School Organisation (Maintained Schools) guidance for proposers and decision makers (January 2014)

School Admissions code 2012 & 2014 School Admissions code for 2016/17 Admissions onwards

**12. Contact Name**

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT MEMBERS</b>
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<b>1</b>	<b>Meeting:-</b>	<b>Cabinet Member for Children &amp; Education Services</b>
<b>2</b>	<b>Date:-</b>	<b>16 February 2015</b>
<b>3</b>	<b>Title:-</b>	<b>Rotherham Parent Forum Funding</b>
<b>4</b>	<b>Directorate:-</b>	<b>NAS</b>

## **5. Summary**

The Rotherham Parents Forum delivers a number of activities and services to both parents and practitioners in relation to Special Educational Needs and/or Disabilities (SEND). Funding from the Department for Education to the value of £10,000 which is restricted for Parent Participation and a £5,000 contribution from RMBC since 2009 has enabled parent volunteers to carry out these activities.

In order to sustain and develop the Rotherham Parents Forum in the current climate of reform and uncertainty around their national funding post 2015, it is proposed that RMBC commission the Rotherham Parents Forum to the value of £45,000 for the period 1 January 2015 to 31 March 2016, to provide information and support to parents/carers and to play a full and active role in implementing the SEND Reforms.

We are seeking a waiver from Standing Orders to not undertake a competitive tendering exercise on the basis of the unique nature of the partnership with Rotherham's Parents Forum, which is the only parent led service locally that can meet our needs and has already established links and built up trust with parents and carers.

## **6. Recommendations**

**6.1 Waive (in accordance with Standing Order 49 - Tender invitation and receipt of tenders) for Rotherham Parents Forum funding from Rotherham Borough Council.**

## **7. Proposals and Details**

The Rotherham Parents Forum delivers a number of activities and services to both parents and practitioners in relation to Special Educational Needs and/or Disabilities (SEND).

Funding from the Department for Education to the value of £10,000 which is restricted for Parent Participation and a £5,000 contribution from RMBC since 2009 has enabled parent volunteers to carry out these activities. This has resulted in a common practice of real co-production and authentic partnership working between parents and practitioners in Rotherham.

The Parents Forum directly reach out to over 400 families in Rotherham whilst actively taking part at strategic level, consulting and feeding back to both parties.

In order to sustain and develop the Rotherham Parents Forum in the current climate of reform and uncertainty around their national funding post 2015, it is proposed that RMBC commission the Rotherham Parents Forum to the value of £45,000 for the period 1 January 2015 to 31 March 2016, to undertake the following:

- Provide information and be a point of contact for parents and support the attendance of Forum officers at various SEND partnership meetings, including the training of more Forum members to widen the pool of those able to contribute.
- Increase the number of Forum drop in sessions from 1 to 3, extending their location to the town centre and the Forum Premises, in addition to the existing sessions at Kimberworth.
- Increase the number of briefing workshops for parents of newly diagnosed children by one per term.
- Ascertain the views of parents (of children and young people with special educational needs and disability), including with parents who are not members of the PCF, and provide this information to RMBC and when it holds statutory consultations, including those regarding :
  - The SEND local offer
  - School planning and re-organisations.

We are seeking a waiver from Standing Orders to not undertake a competitive tendering exercise on the basis of the unique nature of the partnership with Rotherham's Parents Forum, which is the only parent led service locally that can meet our needs and has already established links and built up trust with parents and carers.

## **8. Finance**

The allocation of £45,000 to the Rotherham Parents Forum for the work outlined above will be made from the SEN Reform Grant and the SEND Implementation Grant (New Burdens).

**9. Risks and Uncertainties**

That approval is not forthcoming and as a result there is not effective joint working and effective participation of parents and carers in the SEND Reforms agenda.

**10. Policy and Performance Agenda Implications**

Children and Families Act 2014  
SEND Reforms

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet Member for Children and Education Services</b>
<b>2.</b>	<b>Date:</b>	<b>16<sup>th</sup> February, 2015</b>
<b>3.</b>	<b>Title:</b>	<b>eSuite Data Management System - continuation of support and maintenance</b>
<b>4.</b>	<b>Directorate:</b>	<b>Children and Young People's Service</b>

### **5. Summary**

The purpose of this report is to seek member approval to suspend Standing Order 47, which will permit exemption from normal contract standing orders to enable the continuation of support and maintenance of eSuite (eStart and eNurseries) (provided by Capita Children's Services), the existing performance and activity monitoring software system currently used by the 12 Children's Centres which will remain open from 1<sup>st</sup> April 2015.

The continuation of the current Children's Centres activity and performance management system is essential to ensure evidence of performance in line with the SureStart Children's Centre Statutory Guidance can be provided during Ofsted Inspections and to help inform future service delivery to ensure services meet the needs of local vulnerable families.

The cost of this support and maintenance contract for the period 1<sup>st</sup> April 2015 to 31<sup>st</sup> March 2016 is £18,765.21

Budget has been profiled to cover this as it is an ongoing annual cost.

### **6. Recommendations**

#### **IT IS RECOMMENDED THAT:**

- **the contract for support and maintenance of the eSuite software for 2015/16 valued at £18,786.21 be exempt from the provisions of Standing Order 47 and the contract be awarded to Capita Children's Services**



## **7. Proposals and Details**

In January 2006, quotations were invited from a number of providers to supply a performance and activity monitoring system for all Phase 1 Children's Centres, this was then extended to include all Phase 2 and 3 Children's Centres. CPFRR solutions were the successful system provider (now part of Capita Children's Services). All 22 Children's Centres in Rotherham currently use the eSuite data management system to record information about all the families they support and each contact they make with them, prior to 1<sup>st</sup> April 2015 all data held for the 22 Centres will be merged, based on family address, to the 12 Centres which are remaining open.

This system is essential to enable us to monitor essential delivery requirements of Children's Centres including the required 'reach' and delivery and uptake of services generally as well as by 'vulnerable groups'. The system is also required to facilitate the monitoring of all Children's Centres activity against the Sure Start Children's Centre Statutory Guidance and Ofsted Children's Centre Inspection Guidance.

It is unfeasible to invite tenders from alternative suppliers due to the compatibility of the system which would necessitate full replacement of the current Children's Centres system and whilst still maintaining access to the records of the 24,000 children and their families currently registered with a Children's Centre (this includes children aged over 5 years who previously accessed Children's Centre services), incurring excessive costs.

As such a request is made for the support and maintenance of the eSuite data management system to be exempt from the provisions of Standing Order 47 and the contract be awarded to Capita Children's Services.

The cost of this support and maintenance contract for the period 1<sup>st</sup> April 2015 to 31<sup>st</sup> March 2016 is £18,786.21 for 12 Children's Centres.

Budget has been profiled to cover this as it is an ongoing annual cost.

## **8. Finance**

The costs outlined above are profiled within the Children's Centre budget, as indicated.

## **9. Risks and Uncertainties**

The eSuite data management system is essential to enable Children's Centres to record and provide evidence of their performance against the Sure Start Children's Centres Statutory Guidance during Ofsted Inspections.

## **10. Policy and Performance Agenda Implications**

The availability of this software system will ensure information is available to:

- Evidence delivery of the Children's Centre Core Purpose
- Evidence delivery of services in line with the Sure Start Children's Centres Statutory Guidance
- Evidence delivery of services in line with the Ofsted Children's Centres Inspection Guidance
- Support completion of Children's Centres Self Evaluation
- Enable local and borough analysis of activity

- Evidence uptake of activity within designated 'reach' and geographical areas
- Evidence uptake of activity by 'vulnerable groups'
- Enable comparisons between centres and identification of best practice
- Support day to day management of centres through securely holding family data

### **11. Background Papers and Consultation**

Background Papers:

- Childcare Act 2006
- Sure Start Children's Centres Statutory Guidance 2010
- Ofsted Children's Centres Inspection Guidance

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1. Meeting:</b>	<b>Cabinet Member for Children and Education Services</b>
<b>2. Date:</b>	<b>16th February, 2015</b>
<b>3. Title:</b>	<b>MISPER Service</b>
<b>4. Directorate:</b>	<b>Neighbourhood and Adult Services</b>

**5. Summary:**

The current contract to undertake return interviews and provide one to one support for children and young people up to the age of 16years in Rotherham, who have run away from home or care or are at risk of doing so, will end on the 31<sup>st</sup> March, 2015. This contract is currently with the charity Safe@Last for Rotherham.

A variation to the existing contract is now required to enable the same level of service to be provided for 17 year olds. The additional funding required to deliver this is £3,266.61 (detailed at 7.3).

Sub regional commissioning across South Yorkshire for missing persons (MISPER) has taken place with the intention that a contract was in place from 1<sup>st</sup> May, 2015 until 31<sup>st</sup> March, 2018. However, the tendering process for this ended on the 30<sup>th</sup> January, 2015 and no tenders were received. Therefore further consideration will need to be given as to whether the South Yorkshire commissioning approach is the best way forward or indeed whether we should continue with local commissioning arrangements. For this reason, it is proposed that the existing contract with Safe@Last is extended for two months until 31st May, 2015 to enable no break in service.

**6. Recommendations**

**That Cabinet Member is to approve:**

- 6.1 The variation to the existing contract to enable Safe@Last to provide the same level of service young people to 17 years old.**
- 6.2 An exemption from standing order 48 (contracts valued at £50,000 or more should be tendered) in accordance with Standing Order 38 (exemptions from contract standing orders) for two months to enable the longer term commissioning approach to be considered.**
- 6.3 An extension to the existing Safe@Last contract for two months until 31st May, 2015 so there is no break in service.**

## **7. Proposal**

### **7.1 Background Information**

One to one support is provided to children and young people in Rotherham who have run away from home or care or who are at risk of doing so. The aim of the MISPER service is to improve the outcomes for children at risk through running away. The majority of referrals to the service are from the Police.

All young people for whom a referral is received are contacted and offered a return interview and then offered ongoing support if appropriate. The young person may choose to decline an interview. The interviews provide the opportunity for project workers to discuss additional services young people can access. Young people are supported with a wide range of issues, which include family breakdown, anger issues, bereavement, self-harm, eating disorders, substance misuse, sexual exploitation, mental health issues and depression.

The current service is commissioned by RMBC for Rotherham young people. The intention was to commission across the sub region of South Yorkshire for 2015 -2018 as all local authorities currently commission separately. However, no interest has been shown in delivering this service (as at 30<sup>th</sup> January) and therefore further consideration will need to be given as to whether a South Yorkshire contract is appropriate or whether local commissioning should continue.

### **7.2 Current Performance of current provider - Safe@Last**

For October and November 2014:-

- 65 children have been referred to the service
- 33 (50.7%) have had a return interview.

There are various reasons why young people run away, the current highest recorded reason being “to be with friends” and “family problems”.

With the permission of the young person, a copy of the return interview is sent to Children’s Social Care through the CART team to enable any potential CSE concerns/trends to be identified.

The young person has a choice with regard to an interview and unfortunately, not all return interviews are taken up despite the efforts of Safe@Last to encourage young people. It is recognised that often it is the carer that refuses the interview or the young person is uncontactable after referral. The reasons for refusal has only recently started to be collated so over time this will provide a better indication of the reasons why young people refuse to take up an interview, so actions can be taken.

### **7.3 Additional Provision to include 17 year olds**

The current contract is for young people up to the age of 16 (as was all the MISPER contracts) in line with guidance at the time.

It is recognised that young people between the ages of 16 to 18 years are equally as vulnerable as younger children with “missing” being a trigger for CSE. Safe@Last have recognised that the needs of 17 year olds will be different and they propose to appoint an additional project worker to provide the same level of service to 17 year olds in Rotherham. They are unable to provide this within the existing contract due to the lack of capacity. Therefore a variation to the existing contract to include 17 year olds is required. The funding has been agreed by the Director of Safeguarding

CYPS. The cost to deliver the service to 17 year olds from January 2015 to March 2015 (13 weeks) is:-

Salary – Project Worker	£2145.00
NICS	£172.00
Travel	£341.25
YP Food and drinks	£50.00
Management	£266.00
Admin	£292.36
<b>Total</b>	<b>£3, 266.61</b>

#### 7.4 **Waiver of Standing Orders 48- South Yorkshire Missing Persons (MISPER)**

The MISPER service is required by all local authorities in South Yorkshire. The commissioning group includes representatives from the four Local Authorities, South Yorkshire Police and the Office of the Police and Crime Commissioner. This group was to enable a South Yorkshire MISPER Service to be commissioned through an open tender process. It was the intention that this contract would be awarded from 1<sup>st</sup> May 2015. The funding for this South Yorkshire MISPER contract is based on the current year's funding within each organisation, at a total value of £106,000.

A waiver of Standing Order 48 is required to cover the time required to determine the best approach going forward to either recommission for a South Yorkshire service or continue with a locally commissioned service. No other provider could offer this service for the two months and provide the same level of value for money.

#### 8. **Finance**

The additional finance to provide a MISPER service to 17 year olds until the 31<sup>st</sup> March, 2015 is £3266.61. The annual cost to deliver the South Yorkshire MISPER Service for Rotherham will remain at £12,000 per annum.

#### 9. **Risks and Uncertainties**

Should the waiver of Standing Order 48 not be agreed the service will not be provided for 2 months and young people will not be supported should they run away.

#### 10. **Policy and Performance Agenda Implications**

Children and Young People's Plan 2013 -2016

#### 11. **Background Papers and Consultation**

Safe@Last Contract 2014/15. The additional provision has been discussed with Safe@Last.

**Contact Name :** **Chrissy Wright, Strategic Commissioning Manager,**  
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<b>ROTHERHAM BOROUGH COUNCIL – CABINET MEMBER</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet Member, Children and Education Services</b>
<b>2.</b>	<b>Date:</b>	<b>16<sup>th</sup> February 2015</b>
<b>3.</b>	<b>Title:</b>	<b>Aston Lodge Primary School – Replace Nursery</b>
<b>4.</b>	<b>Directorate:</b>	<b>Audit and Asset Management</b>

**5. Summary:**

The nursery building at Aston Lodge Primary school is in very bad condition and emergency repairs had to be carried out in the summer of 2014. The building is past its useful life and is recommended that it be replaced.

**6. Recommendations:**

- That the report is received and approval given to include in the CYPS capital programme for 2014/15 and 2015/16.

**7. Proposals and Details:**

The nursery provision at Aston Lodge is key provider of FS1 places in the Aston area in which the local authority has statutory duty to provide.

RMBC Structural engineers were called to the nursery building at Aston Lodge school as gaps started to appear on the cladding system between the windows and frame due to bowing. The cladding system is suffering badly from wet rot.

The cladding system transfers the load from the roof to the foundations and was considered too dangerous to leave in it's present state. A temporary solution of timber supports have been put in place to relieve the load from the roof.

Extensive work would be needed to provide a permanent solution to the structural problems. The building is however past its useful life and a new building is proposed. Initial estimates indicate the cost of replacing the nursery would be £420,000.

**8. Finance**

The additional classroom has been estimated at £420,000 which will be funded by the Capital Maintenance grant from the Department for Education (DfE). Allocations for 2015/16 are now known for both capital maintenance and basic need.

**9. Risks and Uncertainties:**

The construction of the Nursery is an estimation, until a fully developed cost plan is developed true costs will not be known.

**10. Policy and Performance Agenda Implications:**

The major theme supported by the forward planning and provision of school places is 'to ensure that everyone has access to skills, knowledge and information to enable them to play their part in society'.

**11. Background Papers and Consultation:**

Background Papers include:

- Children & Young People's Plan
- Transforming Rotherham Learning Plan

**Contact Name: Andrew Parry, Capital Projects Coordinator.**

**Audit and Asset Management.**

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<b>ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS</b>
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<b>1.</b>	<b>Meeting:</b>	<b>Cabinet Member for Children and Education Services</b>
<b>2.</b>	<b>Date:</b>	<b>16<sup>th</sup> February 2015</b>
<b>3.</b>	<b>Title:</b>	<b>Proposals for Abbey School</b>
<b>4.</b>	<b>Directorate:</b>	<b>Children and Young Peoples Services</b>

### **5. Summary**

This report seeks a Cabinet determination on future proposals for Abbey School.

### **6. Recommendations**

**It is recommended that Cabinet Member approves:**

- 
- a) **Cessation of the current pre statutory consultation process and for the school to remain open.**
  - b) **Given above, to commence a period of statutory consultation by the posting of a public notice in relation to revised proposals for Abbey School remaining open to cater for a reduced number of 60 pupils with a specified range of low to moderate level special needs**
  - c) **The development of an action plan to deliver a medium term balanced budget**
  - d) **The orderly dissolution of the Winterhill partnership**
  - e) **The establishing of plans to federate / work closely in partnership with a highly performing special school**
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## 7. Proposals and Details

Following the recent Ofsted inspection placing the school in special measures, a report was submitted to the Cabinet Member for Children and Education Services on 8<sup>th</sup> December 2014, seeking approval to commence pre statutory consultation on proposals to close Abbey School as a Special Educational Needs School.

The inspection of the school highlighted significant health and safety, safeguarding and teaching and learning concerns.

A summary of the key observations from the Ofsted Inspection of 30.9.14 to 1.10.14 are shown below:

### **Summary of key findings for parents and pupils**

**This is a school that requires special measures.**

- Leaders, including governors through their work, have not ensured that pupils and students are safe and secure.
- Planned actions to improve the school are not yet effective and the quality of teaching has declined considerably since the last inspection.
- Leadership at all levels does not demonstrate the capacity to bring about the much needed improvements to the school.
- Governors are not well enough informed to be able to hold leaders robustly to account for the school's performance.
- Pupils and students are not guided well enough to know how to stay safe. Too many abscond from school and staff are not always aware of their whereabouts, which puts them at risk.
- The behaviour of pupils and students is inadequate; often it is not managed well enough. Exclusion rates are high. Incidents where staff use physical restraint are also high and not always recorded adequately.
- Teachers do not have high enough expectations of what pupils and students can achieve. Assessment information is not used well enough to ensure that learning is interesting and suitably challenging. Consequently, in lessons where this is the case, poor behaviour results and disrupts learning.
- High levels of staff turnover and absence are hindering efforts to improve the quality of teaching. Staff covering other teachers' lessons are not well enough prepared for each lesson; consequently learning and progress are often very slow.
- Attainment by the end of Key Stages 2 and 4 is exceptionally low. Overall pupils and students show inadequate achievement.
- Disadvantaged pupils and students are not supported well enough, because funding for them is not used effectively. The most able pupils and students are also not well provided for; as a result, these students also underachieve.

### **The school has the following strengths**

- Leaders have welcomed the partnership with Winterhill School and support from the acting executive headteacher. Together they have an accurate view of the school's performance.
- Actions taken to improve arrangements for pupils and students arriving at school each morning have been successful. Everyone now receives a warm welcome and is well prepared to start each day.

Since that time an experienced Interim Executive Board (IEB) has been established.

A significant number of pupils have moved to other schools at parents' request or to ensure their special needs were appropriately and safely met.

Given the reduction in pupil numbers, the IEB together with the School's Leadership Team and Local Authority, have established a safer and more learning focused environment at the School. As a consequence, there are realistic and a wider range of options now available for consideration and determination by Cabinet Member.

These options are also supported by the independent review commissioned by the Strategic Director of Children and Young People's Services (APPENDIX 1).

**Options available for consideration and determination by Cabinet Member are outlined as follows:**

**Option 1 – Closure**

With the proposed closure of Abbey School there are significant implications for existing staff employed at the school.

Existing staff will all potentially be at risk of redundancy as a result of the proposed closure.

There are currently no contractual arrangements linking any particular members of staff to any particular pupils at Abbey and, as a result of this and also the factors relating to the dispersal of pupils across a number of schools, all of whom have existing staffing structures, our view, which is supported by early discussion with Legal Services is that this will mean that when pupils move from Abbey to be educated at other Rotherham Special Schools, as is the proposal, there will be no automatic right for staff to be employed in those other schools.

However, it is our intention that we give all appropriate support and assistance to staff should this proposal go forward and staff be at risk.

Part of this support will be seeking appropriate priority for existing Abbey staff for any vacancies that may arise at other Special Schools as a result of these changes. Whilst it is clear that any subsequent vacancies that may arise will be much less in number than the current number of Abbey staff, there may well be opportunities for some staff to be employed in the other Special Schools and we will be seeking to ensure that Abbey staff who are at risk get every opportunity to be appointed to those roles.

We will also be exploring all other redeployment opportunities, both in Schools and elsewhere in the Local Authority to make sure that any possible redeployment opportunity can be accessed to avoid redundancy.

The first step in consultation with staff and their Trade Unions on this issue will be an early consultation meeting to set out to staff and Unions the proposal and the implications for staff.

There will be a 30 day consultation period, following the issue to Government Office of a HR 1 form, setting out the numbers and types of staff at risk.

It would be our intention, if there are no changes to the proposal that notices would be issued to staff early in early 2015. Redeployment efforts will continue right up until those notices take effect (31<sup>st</sup> August 2015 at the latest).

Following the proposed closure of Abbey School the site would need to be considered for alternative education purposes in line with DfE requirements.

### **Option 2 – Reduction in the number of planned places at the school**

Given the positive impact of the current reduction in pupil numbers an alternative option would be to retain the school but reduce the number of planned places from 105 to 60 so that recent progress made can be sustained and built upon. The school would continue to require significant support to ensure all of the concerns outlined by Ofsted were addressed and that the school offered safe, full-time learning opportunities and good progress for all pupils.

Some staff would potentially be at risk of redundancy as a result of the proposed reduction in size. All of the commentary above in Option 1 concerning support for those potentially at risk of redundancy would apply.

To formally reduce the number of places at Abbey School from 105 to 60 would require a 'prescribed alteration' to be made to the school (*under the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013*).

A public notice period will be required and a final determination made by the 'Decision Maker' at the end of that process, after consideration of any representations received.

The Department for Education and Secretary of State for Education would also need to be informed accordingly of the proposals and determination.

The Schools progress would need to continue to be robustly monitored and the position reviewed on a termly basis until the Local Authority, Department for Education and Secretary of State for Education are satisfied that there is sustainable progress and the school can move forward towards a 'good / outstanding' Ofsted profile.

### **Option 3 – Amalgamation**

A permanent amalgamation could be pursued between Abbey School and a neighbouring school. To formalise an amalgamation the two schools would need to be within a reasonable distance of each other and the school to be amalgamated with Abbey would need to have a 'good' or 'outstanding' Ofsted rating, with the leadership capacity to move the amalgamation forward.

The process would involve making a prescribed alteration (*under the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013*) to the school to amalgamate with Abbey School in relation to areas such as pupil numbers, designation, age range and other factors.

To run concurrently to the prescribed alteration proposals to another school would be a proposal to formally close Abbey School as an education establishment in its own right (*under the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013*). The Abbey site would remain 'as is' as an educational establishment but as part of the newly amalgamated school.

The newly amalgamated school would retain the Department for Education (DfE) unique reference number of the school to be amalgamated with Abbey School, along with its current Ofsted rating. Abbey Schools DfE details would cease to exist from date of formal closure as a school in its own right.

#### **Option 4 - Academisation of the School**

The Local Authority could seek a sponsoring Academy to take over the control of the school. It should be noted that this option could be 'instructed' by the Department for Education. This would involve a time period to seek a suitable sponsor gain approval from the Department for Education and follow due legal process to transfer staff and assets to the control and employment of an Academy Trust. However, it may prove difficult to attract a suitable sponsor.

#### **Option 5 -- Retain the school as is**

It would be difficult to adequately address all of the concerns outlined by Ofsted and others within an appropriate time-scale. There would be continuing concerns about safety and the quality of provision.

It should be noted that approval to progress to a period of Statutory Consultation on proposals to keep the school open catering for a smaller number of children, will be with clear expectations that all pupils at the school will make good progress. The situation at the school will be reviewed annually drawing on a range of evidence to include progress data and Local Authority and Ofsted Inspection reports.

### **8. Finance**

There is a national framework for funding specialist provision involving both 'Place' and 'Top-up' funding. Special schools receive £10,000 for each place commissioned, whether or not the place is filled. They also receive an agreed amount of 'Top-up' funding related to the actual cost of a placement. Top up funding is only paid when a place is filled, i.e. funding follows pupils. If the number of places commissioned at the school reduces or increases, both Place and Top up

funding will change to reflect this. In this way the Local Authority can ensure funding can support pupil placements wherever that may be.

## **9. Risks and Uncertainties**

There are always risks and uncertainties when school place provision is considered since future pupil numbers are based on a combination of current knowledge of needs, gaps in provision and estimations of future need. Local Authorities however are obliged to provide sufficient places, promote diversity and increase parental choice.

## **10. Policy and Performance Agenda Implications**

### Rotherham School Improvement Mission:

- ~ All children will make at least good progress
- ~ There will be no underperforming cohorts
- ~ All teachers will deliver at least good learning
- ~ All schools will move to the next level of successful performance

## **11. Background Papers and Consultation**

The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013

School Organisation (Maintained Schools) guidance for proposers and decision makers (January 2014)

Independent review commissioned by the Strategic Director of Children and Young People's Services (APPENDIX 1)

Summary of the outcome of pre statutory consultation

Representations received during the pre statutory consultation phase by petition

Should proposals move forward to Statutory consultation, a final decision should be determined by the 'Decision Maker' within 2 months from the end of the representation period. If this fails to be done, then the matter is referred to the Schools Adjudicator for decision.

**Consultation timeline**

Cabinet Member agreed to pre statutory consultation	<b>8<sup>th</sup> December 2014</b>
Pre statutory consultation period With stakeholders	
Report to Cabinet detailing the outcome of pre statutory consultation and seek approval to commence Statutory Consultation.	<b>25<sup>th</sup> February 2015</b>
Publication of statutory notices and proposals (4 week period)	<b>17<sup>th</sup> April 2015</b>
Four week period for public Notice closes	<b>15<sup>th</sup> May 2015</b>
Report to Cabinet and final Determination of proposals and notification to the Secretary of State for Education	<b>24<sup>th</sup> June 2015</b>
Implementation Date	<b>End of the 2014/15 Academic Year</b>

Consultation meetings / correspondence have been undertaken with the Governing Body / interim Executive Board of the School, Staff with Trade Union representatives, Parents / Carers of pupils at the school, local Councillors, local Parish Councils, local MPs, all Rotherham Schools and other stakeholders.

**Contact Name:**

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## Abbey Special School, January 2015

### Context

Abbey Special School provides education for pupils and students within Rotherham who have a wide range of special educational needs, including those who have moderate and severe learning difficulties as well as those who have behavioural and emotional difficulties. A growing number are also on the autistic spectrum. The school was placed into "Special Measures" by Ofsted in September 2014, and at the beginning of January had its first HMI monitoring visit.

Since 2005 the school has been inspected by Ofsted 4 times:-

2005 graded Good,  
2008 graded Outstanding  
2011 graded Good  
2014 graded Special Measures.

The most recent HMI report states,

***"The school's self-evaluation is an honest reflection of its position. It clearly acknowledges that while there has been some improvement, there is insufficient evidence to suggest that progress made on each area for improvement is anything other than inadequate."***

In January 2013 the school also underwent a LA supported review which graded Abbey's overall effectiveness as inadequate. (Achievement - Inadequate, Teaching and Learning - Inadequate, Behaviour and Safety - Requires Improvement, Leadership and management Inadequate). The LA then brokered support with Winterhill a National Support School and Abbey's geographical neighbour. This support began in April/May 2013.

The school role has dropped to 47. Currently the school has a number of long-term absence cases and is spending between £9 000 and £13 000 on supply staff a week. Abbey also has a reducing number of permanent staff, as they seek employment elsewhere.

### Brief

As an Executive Head of two Outstanding Special schools, sponsor of a large mainstream Primary, a National Leader of Education and a current Additional Inspector for Ofsted, I have been asked to use my professional experience and knowledge to:-

1. Review the staffing restructure at Abbey School and the rationale behind the process.

2. Evaluate the SEND review of provision within Rotherham, the decision to close Abbey School and any impact the restructure at Abbey had on that decision.

## Methodology

To achieve the brief I have reviewed a significant amount of documentation, including:-

- Ofsted reports
- SIP reports(2009-2011)
- The LA supported self review(Jan 2013)
- SEND review Aug 2013
- Health and Safety review(Oct 2014)
- Minority Report
- Finance report
- Schools SDP/Action plans
- Pupil progress data
- anonymised overview of staff performance

I have held face to face or telephone interviews with:-

- R. Burnham (Executive Head Winterhill/Abbey)
- J. Cater-Whitham(Deputy Executive Head Winterhill/Abbey)
- K. Halford (Head Abbey)
- P. Marshall (Chair of IEB)
- D. Smith RMBC (ex. Director of Schools and life long learning)
- K. Borthwick RMBC (Head of School Effectiveness)
- V Njergic RMBC (Finance)
- four parents of present and past students
- 10 present, past and newly appointed staff following restructure (Including Teaching, SLT, TA's and Admin staff)
- P. Fitz Patrick RMBC (HR)
- M. Smith RMBC (HR)
- A. Sanderson (Head Teacher The Willows)
- N. Whittaker (Head Teacher Kelford/Hilltop Special Schools)
- F. Sprague (NUT Representative)
- M. Badger (Unison Representative)
- P Rodmell (AMIE/ATL Representative)
- Two meetings with staff groups, at their request.

Two days of the interviews were conducted at Abbey school, allowing me to put a number of the conversations into context.

Finally, I have considered the views of six ex staff members, four current staff members and two parents who have contacted me by email.



## **Detailed report of Findings:**

**Leadership:** Abbey school is a school that has had significant changes in leadership since 2005. During this period it has had: three Head Teachers, one interim Head, an Executive Head, an Interim Executive Head and a Head of school/Head Teacher. This is also matched against a staff, that up until the restructure had remained mainly unchanged, with significant levels of service at the school.

**Shift in external expectations and standards:** The changes in leadership, have also coincided with a major shift in the expectations of outcomes for SEND students within special schools. The commitment and rigour required to achieve these new standards/expectations set by Ofsted, do not appear to have been addressed in a coherent and robust way, over an extended period of time, up until May 2013.

The school's previous successes and lack of consistent direction from a changing leadership has allowed staff to become very insular and entrenched in their approach to SEN education. The last SIP report (March 2011) indicates the school had developed an over inflated view of the quality of the teaching and learning available to students. The curriculum did not provide sufficient depth, to challenge the more able, thereby not providing them with the skills to move effectively on to the next stages of education or work. Although the school was graded as Good by Ofsted in 2011, it is my strong belief that some of the areas highlighted for improvement, under the Ofsted Sept.2012 and current framework would, at best, have placed the school in the category of Requires Improvement. This is especially true in relation to "What the school need to do to improve further?" from the 2011 Ofsted report, detailing the need to accelerate progress in English and Mathematics throughout the curriculum. Also during this significant period of change for SEN education the LA's formal monitoring of Special schools, through the School Improvement Partners ceased in 2011 and wasn't replaced with a system of checks that hold Heads accountable outside the Ofsted cycle of inspection.

**Lack of rigour in management information and processes:** In April 2103 Winterhill, started to formally support Abbey. Following several requests, no documentation has been produced to detail clear lines of responsibility, reporting lines, success criteria or costs. To date it is unclear who should be registered as the Head teacher at Abbey. In 2013-14, Winterhills support cost Abbey £100k. In 2014/15 it cost £55k.

**Staff resistance:** Following a period of due diligence, Winterhill set out a clear direction, in the form of a school development plan (SDP). However, due to Winterhill being a mainstream school, significant numbers of Abbey staff challenged their ability to implement effective change. Also I feel a number of staff were resistant to any change, no matter who was leading it, in fact a small number of actively posed significant barriers to prevent change. In interviews with staff, it became apparent that those I met believed that insufficient time and effort was spent engaging them in a shared vision.

Believing it would have the best outcome for students, the stance of the new leadership appears to have been to enforce change, rather than to engage as many staff in the change process as possible.

**Teaching performance:** Winterhill then continued to try to implement, support and monitor their School Development Plan.

The quality of teaching and learning (T&L) showed very little improvement from the Jan 2013 review to the last documented review of T&L in Dec. 2013.

- Jan 2013 T&L graded Inadequate
- Oct 2013 observations (2 Good, 5 Require improvement and 3 inadequate)
- Dec 2013 observations (2 Good, 5 Require improvement)

During this period, available records show that no staff were dismissed on capability.

**Restructure and subsequent management of finances:** In November 2013 all staff were initially put into consultation, with the consultation being quickly narrowed to impact teaching staff only. One of the stated reasons for the restructure was that the school was over staffed. However, at the point of the restructure only 58% of the budget was spent on staffing, which is significantly below the norm.

There appears to be no Governor minutes detailing the financial implications or agreements with the LA on how the redundancy costs would be paid (£173k). At this point the school had a surplus of £256k. Abbey now has a predicted deficit of £361k for the end of the financial year 2014/15. This is mainly due to supply cost for the year being predicted to be over £400K. (A decision was made not to take out sickness absence cover for year 2014/15, however there is dispute who made this decision)

I believe that due process was followed during the selection process for the restructure. However, due to the timing of the restructure and the agreements set up around the redundancies, 7 teaching staff and a number of TA's left at February half term with no permanent staff to replace them available until Easter. I also believe the recruitment process was made more difficult due to the strike action over the restructure.

**Pupil Behaviour:** Behaviour at Abbey is reported to have deteriorated from the time of the review. The exact timing of the decline is difficult to pinpoint, due to limited records from Jan 2013. However, there was a steady increase in the number of days students were excluded, from 58.5 (2011/2012) to a high of 82 (2013/2014). To date 52 (2014/2015), however this does include a surge of 22 days following the announcement to consult on closure.

During this period I understand that the Pupil Referral Units in Rotherham were closed and from what I have been told, the needs of some students entering Abbey changed.

**Intermittent leadership at a crucial time:** In April 2014 the Executive Head Teacher at Winterhill was suspended without prejudice, not returning until after the Ofsted inspection at Abbey. This I believe is the reasoning behind the reduction in costs for Abbey from £100K to £55K, for the financial year 2014/15. The Deputy assumed the role of Executive Head at Abbey for this period.

The support for Abbey during this difficult transition period appears to have reduced due to the increasing demands on the Winterhill Deputy at her substantive school. The role of the Acting Executive Head wasn't clear during the Ofsted inspection and was not clear to the Executive Head when questioned during this review process.

**Consultation on closure:** Following the Ofsted decision to place Abbey in Special Measures, the decision to consult on Abbeys closure was made. The investigations I have made during this review, have given me no reason to believe there is or was any link to any decision made regarding Abbey and the SEND review. I also believe that there is no link between the decision to close and budget requirements.

I believe that Abbey has been through a period of turmoil for at least 18 months and has been a school with a number of significant issues for an extended period of time. It is the belief of the county officers I met, that to secure the best education and care for these students, closure has to be considered.

However, the way this has been communicated to parents, pupils, staff and other Head Teacher colleagues has not been clear. There is also a perception by some parents and staff, that parents were pressurised to place their children in other Special Schools.

### **Summary of Findings:**

- 1.) The LA's monitoring systems for Special schools did not provide robust enough challenge and is too dependent on "Whistle Blowing" or Ofsted.
- 2.) The LA's setting of clear success criteria, lines of responsibility and reporting were inadequate.
- 3.) The LA's monitoring of: "Schools causing concern", monitoring of the quality of support implemented (including Governance support) and the management of costs during this process were inadequate.
- 4.) The Governors of both Abbey and Winterhill, did not clearly define lines of responsibility.
- 5.) The decision to use Winterhill to provide a support package was correct:-
  - They have a proven track record of school improvement.
  - They are an organisation large enough to have the capacity to provide leadership, staffing and resources support,
  - They have a network to access appropriate specialist support.

➤ Geographically, they provide a “Lunch time solution”.

6.) Winterhill and Abbeys leadership style appear to be very system led rather than a combination of engagement, support and challenge

7.) The Leadership (including Governors) did not hold underperforming staff to account as would be expected (through challenge, support and ultimately dismissal on grounds of capability). I would question if appropriate HR advice was sought or possibly provided.

8.) The Governance of the restructure, the redundancy costs and the process was inadequate. This includes the decision to let a third of the teaching staff leave on redundancy, before suitable replacements had been found.

9.) The HR advice/challenge to Governors and leadership re the restructure, appears not to address the question of why staffing needed to be reduced, when only 58% of income was being spent on staffing. (Expected percentage 78% and possibly higher for Special)

10.) In this case, the LA’s financial monitoring of school budget to allow the budget to reach such large deficit, was inadequate.

11.) The Governors monitoring of the budget was inadequate.

12.) Audit to investigate finance, HR and Governance procedures.

13.) The LA should have acted to secure extra support when the Executive Head was suspended and realized the possible risk both schools were put at due to this.

14.) The LA should have considered a moratorium on student admissions when concerns with Abbey were first highlighted, to reduce behaviour pressures.

15.) Communication with other Head teachers re the need to place other students needed to be communicated more clearly.

16.) Following the decision to move students to other schools, the LA needed, and needs, a clearer communication strategy with staff, parents and especially students to allow as smooth a transition as possible.

## **Recommendations**

There are the start of green shoots for the school, in terms of behaviour and staff starting to work together. However, if the LA wishes to consult on possible closure, they need to ensure that they work at pace and lead a transparent, quick and decisive process. This will ensure that students and staff needs have the best chance of being met.

The LA needs to review their procedures for identifying schools that are causing concern and schools that need support. It is also recommended that they review how and where that support can be accessed, and how it is brokered and quality assured. (A model that Lincolnshire are developing is a “Peer to Peer” review network with a central board. There are of course other models, such as “The London Challenge”)

The underlying priority in all of this is that any decision made, needs to make it easier for the students at Abbey to move forward and for them to access the high quality of care that they deserve.

Finally, all parties need to step back and reassess, are they putting the students needs first and last. This core purpose seems to have been lost and must to be placed firmly at the top of all agendas.

**Peter Bell, Executive Head Teacher, Community Inclusive Trust, Grantham (NLE / Additional Inspector for Ofsted), January 2015**