

Formal representations received in response to the Flanderwell SEN Unit public notice:

Public Notice:

ROTHERHAM METROPOLITAN BOROUGH COUNCIL

NOTICE OF APPLICATION TO MAKE A PRESCRIBED ALTERATION TO FLANDERWELL PRIMARY ACADEMY SCHOOL BY THE CLOSURE OF THE AUTISM RESOURCE UNIT AS A SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION ON SITE

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that, Rotherham Metropolitan Borough Council intends to make a prescribed alteration to Flanderwell Primary Academy School, Greenfield Court, Flanderwell, Rotherham, S66 2JF, from 30 September 2016.

It is proposed to close the Autism Resource Unit at the school with effect from 30 September 2016. All staff and pupils who attended the Unit have been relocated to alternative provision as part of a wider review and restructure of provision borough wide. It is proposed to use the building to accommodate rising mainstream pupil numbers at the Academy School.

This Notice is an extract from the complete proposal to the Department for Education. Copies of the complete proposal can be obtained from:

Christopher Stones, School Planning, Admissions and Appeals, Children and Young People's Services, Riverside House 2C, Main Street, Rotherham S65 1AE (Tel: 01709 254831) Email Christopher.Stones@rotherham.gov.uk

Within four weeks from the date of publication of this proposal (that is by 15 July 2016), any person may object to or make representation on the proposal by sending them to:

Ian Thomas, Strategic Director of Children and Young People's Services, Riverside House, Main Street, Rotherham S65 1AE.

Signed: Ian Thomas, Strategic Director of Children and Young People's Services

Publication Date: 17 June 2016

Representations received during the public notice period:

NB: Responses have been anonymised as original correspondence contained personal details of respondents that could identify individuals.

Representation has been received from two (2) responders in relation to the statutory consultation:

From: [REDACTED]

Sent: 14 July 2016 20:34

To: Thomas, Ian; Fenton, Dean; Stones, Christopher; Borthwick, Karen; Williams, Paula-Inclusion

Cc: [REDACTED]

Subject: Comments for consultation re:Flanderwell

Everyone,

Please find attached information for consideration in relation to consultation on the future on Flanderwell Autism Resource (FAR). (Submission date Thursday 14th July 20:34pm.)

This information is submitted on behalf of [REDACTED] - Teacher in Charge- Flanderwell Autism Resource and [REDACTED] Flanderwell Autism Resource.

Regards

[REDACTED] and [REDACTED]

Attachments to Email:

Responses to Commissioner Manzie's report related to Flanderwell Autism Resource.

Report Date.

Report dated 15 Dec, staff not made aware that any meeting was pending.

On 16th Dec staff received an email from [REDACTED] stating that "no further news of the future of Flanderwell was available ". This was clearly after the meeting had taken place that related to the report dated 25th Dec 2015

On 17th Dec a very brief call from [REDACTED] was received by staff to state that a decision had been made and the option that was preferable was to close the Resource, staff were not made aware that any documentation was available. Later that day information was relayed on radio Sheffield.

The Options report with recommendations was complete and submitted by the October deadline. Due to the Jay report into Child Sexual Exploitation, government Commissioners were brought into to take over the leadership of the

council and chose what priorities there were at that time and which decisions were to be made in the light of this. A decision regarding Flanderwell was made in December 2015 to consult on closure.

Feedback to the Local Authority was not received by 16th December. The Local Authority then informed staff of the situation before the end of the term. Following a release on radio Sheffield staff were called to ensure they were aware of the current situation.

Concerns raised from the Executive Summary section of the report.

Emergency health and safety review- staff raised issues from May 2014 upon pupils having access to building. Raised with Flanderwell Head, [REDACTED], Contractors and [REDACTED] on the very first visit when allocated to support FAR. Issues raised regularly and frequently and week prior to 'review' a pupil was placed in the Resource with no transition support plan in place as this was over ridden despite staff protestations about good practice and appropriate responses to the child's complex needs.

It is acknowledged that the staff at the resource had raised a number of concerns these included: issues about the building, admissions criteria, the changing nature of the children's needs and line management. The concerns about line management were addressed immediately by the allocation of a Consultant Head teacher by the then new Assistant Director of Education and Skills.

The only Health and Safety Inspection took place on the last day of school year.

The Health and Safety report this only refers to door security does not mention layout.

The concerns about layout became evident in the gathering of information from parents which followed the Health and Safety Review.

Consistent messages were not given out to parents, one parent thought her child was being moved as punishment as she thought he was personally responsible for issues.

This was not the message given by LA officers and it is unfortunate if this was the message received. The LA can only apologise for any distress caused by such a misunderstanding.

(1.1) How is this relevant when all, we as staff, were made aware of was that this was a Health and Safety Review? Point one states re purposing and reuse by Flanderwell. At this stage we were still awaiting outcomes of initial 'options'

review which we were told initially would be 23rd October 2015 and we and parents still believed and the message we were told to share with parents was that we would be back in Flanderwell Autism Resource after Christmas.

In all of the information shared in papers and in letters to parents and staff it was never stated that pupils would return to Flanderwell

(1.2) Is this happening? As part of this process have any Head Teachers been approached in order to have this available as soon as consultation period is over

A strategic group of head teachers and autism specialists were brought together to investigate what is good practice for an autism resource and how to ensure Rotherham has sufficient provision for children and young people with Autism

(2.1) Refers to year 5 and 6. Admissions criteria did not change, staff asked for clarification on a number of occasions as to changes-none given! And at end of academic year 2014/15 pupils attending the Resource covered Y2,3,4,5,6.

This became evident during the gathering of information for the options report.

(2.2) Inaccurate dates first pupils admitted May 2014

At end of school year- 9 pupils allocated and attending full time on site with a further 3 pending for Sept 2015.

The reference in the report to later that year, it is referring to later in the academic/school year

“Not popular with parents”. During the last 2 weeks of the summer term (2015) consultant Head Teacher conducted a survey with parents in order to gauge parent views, on behalf of the Local Authority. The results were shared with staff and, we assume, the local authority in September 2015. Results showed that parents were very positive to the extent that many stated that they were ‘extremely happy’ with the Resource. With one parent also commenting on the positive impact their child’s education was now having on family life. The main source of complaint lay with the Local Authority and treatment prior to their child’s placement at the Resource. Findings were shared and minutes taken at a meeting held by [REDACTED] in which Resource staff and [REDACTED] were present.

In the report the phrase ‘not as popular with parents as envisaged’ refers to parental choice as part of the Education Health and Care Assessment process. Many parents of young people with autism opted to choose mainstream provision with support or special school provision.

However, it must be noted in response to the point raised that information was shared directly with the report author by parents who were unhappy with the provision at Flanderwell.

The resource was not promoted by LA or case officers, many parents contacted F.A.R direct after word of mouth from other parents or schools, however as staff we were unsure as to messages to give over placement and criteria. One parent, who later had a child placed, was told that FAR was not a possibility! Lots of interest from Y1 and Y2 parents but criteria not clear.

(2.3) What has this got to do with Flanderwell Autism Resource and its viability as a suitable placement for SEN? Was this the desired outcome?

It was not a 'desired outcome' but in the efficient use of resources, RMBC must consider all costs related to a decision. As Flanderwell Academy shares the site and will need to expand, this must be taken into account.

(2.4) How is this relevant to furthering Resource or attempting to resolve issues?

There are different considerations in using the building for mainstream provision.

Seems that decision is clear- are the Health and Safety concerns no longer an issue?

(2.5) Consultant Head Teacher was only put in place in June 2015. Prior to this Teacher in Charge had no line management, previous people identified (only at latter stages of Resource life) had no knowledge of roll when contacted by Teacher in Charge. No governance was allocated. Staff had no hierarchy of support.

(2.6) "emergency"- the review took place on the last day of the school year (17th July 2015). Concerns were shared with consultant Head Teacher on day one of her support (June 2015) and all related to our point 1.

(2.7) Child who was placed without any transition after we were over ridden on this. His needs were very complex. He was still placed in this situation despite senior staff and LA being aware of Resource staff concerns over Health and Safety and pupils an staff continued to access the building up to end of school year. Was this not significant at this point?

Needs of children changing and becoming challenging, this was perfectly obvious to staff, but still no one had clarified this or amended admissions criteria and still pupils were placed with complex needs.

The situation was considered by the Consultant Head Teacher and the EHC Team Manager and action taken.

(2.8) when inspection took place staff were still expecting building works to be undertaken over summer to make environment more workable as described by Consultant Head Teacher.

4x Year 6 pupils were successfully transitioned to their secondary provisions. All of whom came to Flanderwell Resource as a result of exclusion. No exclusions were implemented from The Resource and attendance had improved from all, to 98% average.

6 pupils were still expected to access The Resource in September 2015.

Statement that “ Four parent are happy with new placement”- 4 pupils were placed at ██████ School: Currently:1 pupil is placed out of Local Authority, 1 pupil still on a part time timetable, 1 pupil in Y6 is accessing a local mainstream school with support from ██████ (school) and 1 pupil appears to be appropriately placed.

2 pupil were placed at ██████ (school): 1 pupil never attended and is currently seeking out of Authority placement and one failed currently placed part time at ██████ (setting).

Statement that “one parent was unhappy with placement at Flanderwell”-This parent had been unhappy with 2 out of 3 previous placements also and is now one of the parents seeking placement out of Authority.

The parental views were those recorded at the time. Views were gathered during September and October and placement information was accurate at that time. Since then, 2 children’s parents have requested they stay at Milton; 1 child continues to attend Milton and parents are considering whether they wish him to stay; 1 child is placed out of authority at parents request; 1 child has a highly bespoke programme and is awaiting out of authority placement having attempted mainstream school at parents request; 1 child is attending Rowan and mainstream

(2.9). Are we not specialists? We were employed for our knowledge and experience in working with Children with ASC.

The argument made is that the building design and build did not include consultation with specialists in Autism

At the first sight of plans Teacher in Charge questioned the layout to be told it would go ahead as it was- design was inflexible, but built it and allowed us to work in there anyway and **significant success was achieved with the majority of pupils.**

This is not at all disputed in the report

Outside space design questioned, and as far as this element of the design was concerned staff were able to initiate some limited design changes ie no mound!

(3.1) What has this got to do with decisions over options review related to safety of building for access by children with SEND?

Answered previously with regard to the whole site

(3.3) How can a site be more suitable than a purpose built building?

The argument made is that the design of the building is not fit for purpose

(4.3) Option 2 is the preferred option. Does this mean that alternative provision is currently being sought?

Alternative provision is currently part of a wider SEND sufficiency work

(6) Staff have not been notified of any specific dates. Staff were called to a meeting by Consultant Head Teacher and HR on 8th January 2016 to be told that they “thought “this was the start of consultation. Union representatives asked for a further meeting to clarify this. A meeting was then arranged for 17th Feb 2016 at which point staff were informed that this was the END of the pre-statutory consultation period and this was the first opportunity staff had had to meet with LA officers to be informed of timescales and deadlines, though these were again not clear and no definite dates were given other than to have questions and representations to xxxxxx no later than Friday 26th Feb.

Staff views have been sought as part of the formal consultation

(7.1) £100k what is this estimation based on? Is this purely based on 1 health and safety visit or is this an actual costed out price?

Having consulted Facilities Management/Capital Projects team - to make the required amendments to maintain the unit as an appropriate and fit for purpose SEN unit would be around £100k (minimum) as recommended by Autism specialists a further room is required, hence the cost indicated.

Should the unit remain open then the cost of repairs/extension for the SEN unit would be £100k (approx.) as outlined above + £150k-200k approx. to provide an additional mainstream classroom for the rising mainstream cohort of pupils.

(7.3) Is this relevant to viability of Resource as an establishment. It would appear outcomes are a foregone conclusion!

Consideration has to be made that the FAR shares a site with a mainstream school.

(7.4) How can an adaptation be more appropriate than access to a purpose built building and be cost effective?

The key issues was in relation to the design of the building.

(9.1) SIGNIFICANT LACK OF INFORMATION AND SUPPORT FOR STAFF. We have had to search out information ourselves or read it in the local press.

There was no information to share between the options report and the consultation. Staff and parents were informed that a decision was awaited. The Consultant Head was put as a manager by the then new Assistant Director. When the staff moved to support autism elsewhere in RMBC their line management has now been taken up in their current position to aid understanding and continuity.

(13.1) 'Flanderwell Resource is not a suitable environment for SEN pupils'- Flanderwell Primary school has an 'above average percentage of children with statements of special educational needs'. Is it safe for the children of Flanderwell Primary school to enter a learning environment that is unsuitable for children with SEN?

There will be different considerations in using the building for mainstream provision by a school of the size of Flanderwell Academy. There will not be the specialist requirements needed of the building for a small group of young people who have struggled in a mainstream environment.

■■■■■ - Teacher in Charge- Flanderwell Autism Resource

■■■■■ - HLTA- Flanderwell Autism Resource.

26-02-16.

Further questions raised by the responses received to our comments related to the report from Commissioner Manzie.

First comment related to date of report was to highlight the limited information that staff had received and how this information was inconsistent and at times inaccurate as highlighted by the fact that the report was dated 15th December and the letter we then received from ■■■■■ the following day state that “ no further news of the future of Flanderwell was available.”

Executive Summary

The concerns about line management were addressed immediately by the allocation of a Consultant Head teacher by the then new Assistant Director of Education and Skills and a request to gather information for an options paper.

This implies that the option review was commenced as soon as the Consultant Headteacher was in post and formed part of her remit. Staff were not made aware of this and thought that the consultant HT was brought in to offer support to staff.

It was as a result of the consultant head teacher involvement that it was decided a fuller review should take place. It was evident that no support had been available to staff so that was the first concern. An Options review was decided after she became involved so she continued to support staff.

(1.1) How is this relevant when all, we as staff, were made aware of was that this was a Health and Safety Review? Point one states re purposing and reuse by Flanderwell. At this stage we were still awaiting outcomes of initial 'options' review which we were told initially would be 23rd October 2015 and we and parents still believed and the message we were told to share with parents was that we would be back in Flanderwell Autism Resource after Christmas.

As stated, the options report with recommendations was submitted by 23rd October but there were other priorities to be managed at the time in Rotherham. This paper, or any letters sent to parents and staff in October and December did not, at any time, state that pupils would return to Flanderwell

We were told, quite forcefully by HR and consultant HT on a number of occasions, that the message we were to give to parents and any one that asked was that the closure of the Resource was temporary and that we fully expected pupils to back after Xmas. This was also the message that was given to the schools where pupils were temporarily placed.

It could only be reported as temporary until commissioners had made a decision to consult on closure in case they decided not to go to consultation.

(6) Staff have not been notified of any specific dates. Staff were called to a meeting by Consultant Head Teacher and HR on 8th January 2016 to be told that they "thought "this was the start of consultation. Union representatives asked for a further meeting to clarify this. A meeting was then arranged for 17th Feb 2016 at which point staff were informed that this was the END of the pre-statutory consultation period and this was the first opportunity staff had had to meet with LA officers to be informed of timescales and deadlines, though these were again not clear and no definite dates were given other than to have questions and representations to [REDACTED] no later than Friday 26th Feb.

Staff views have been sought as part of the consultation

As the only staff concerned are myself and [REDACTED], I do not feel that I have been 'consulted'. by whom? and When? My understanding is that a consultation should be a formal process, nothing about the whole process appears to have been formal or structured from our point of view.

Following discussions with staff they have now been given reassurances, has their questions answered, and have now confirmed their work in valued.

Responses to Cabinet report dated 26th May

Constant reference to the search for new provisions for pupils with ASD with 'mainstream ability'. Is a building being sought and how will this be funded?

The place funded will continue from the High Needs Budget and any building work will be part of the SEND strategic sufficiency planning

The building at Flanderwell was substantially resourced with educational materials specifically with ASD pupils in mind and specialist resources purchased. Furniture was purchased to enable classroom set up and to support pupils individual needs- what will happen to these new and specialist resources, will they transfer to newly identified provisions?

We would hope to move or replace what is needed for another site

4.1: This suggests that building work is to support rising mainstream numbers not to improve existing building for FAR pupils and staff to return

4.2: Undersubscribed school to be sought as alternative provision through negotiation. This is new within his report as we were informed looking for alternative setting. This was the recommended option.. so is this still taking place is an alternative space being sought.

4.2.2. Alternative provision –will this have all issues described in H and S report resolved and taken into account when identifying new location at cost of less than 100k which is what FAR would cost to renew.

All of the above are being addressed as part of the wider sufficiency work to ensure there is enough provision within Rotherham, An alternative site will be considered in this way

7.3 This implies that this is a cost saving exercise to facilitate access to adequate space for the mainstream school rising numbers and the closure FAR reduces this significantly.

States that "basic needs funding" investment has been incurred in building FAR this has not been lost. This implies that the money was allocated for SEN and it has therefore been lost for this cohort of pupils as will no longer have an SEN focus.

However, there is now a greater investment in SEND with the appointment of a strategic lead who is viewing the need for provision right across the range of needs

9.1 staff informed of all issues etc---no communication what so ever with staff. all communication has been sought out by staff themselves no support from LA

Regular termly letters were sent but there was so little to report due to commissioner priorities and election restrictions. [REDACTED] and [REDACTED] have met with the staff more recently to keep them informed and discuss concerns

Public notice

This notice was sent to all school and parish councils and staff were informed via family members seeing these notices. No one contacted staff directly.

“It is proposed to close the Autism Resource Unit at the school with effect from 30 September 2016. All staff and pupils who attended the Unit have been relocated to alternative provision as part of a wider review and restructure of provision borough wide.”

The implication of this appears to be that myself and [REDACTED] are now permanently relocated. Could someone please clarify if this is the case, as we are still under the impression that our current placements are temporary pending outcomes of the consultation process? If permanent relocation is the assumption- when were we going to be consulted on this? Surely before this can happen someone needs to speak to us to ascertain if we are happy with the current situation or explain what other alternatives may be available to us and clearly contracts will need amending accordingly.

We have met to discuss this with staff as there are no decisions to be made about their posts until the decision is made. We are indicating that they are needed by keeping them in post and placing them to support autism temporarily whilst awaiting a formal decision

This notice also states that all pupils are relocated to alternative provision, one pupil, is educated for one hour per day in the YMCA with no access to outdoor space or interaction with peers and limited educational resources, . Ian Thomas stated in his speech to cabinet on 26th May that all children have been move to “ better” provision. How is this reconciled with above?

The above statement leads to assumptions that all staff and pupils are settled and relocated and this could be very misleading to any members of the public or professionals who wish to lodge concerns. These representations would be based

on false assumptions made upon misleading information contained in the statements highlighted above.

Better and safer due to the building

The child mentioned above is engaging with his education and provision more than in the past

Further concerns relate to the fact that the public notice stated that it was an extract from the complete proposal. On request and receipt of the complete proposal we have been unable to find the information contained within the public notice within this extended document. An extract implies that it has been lifted directly rather than modified in any way, which again has "muddied the waters" somewhat.

information shared at cabinet meeting on 26th May viewed from Webcast

Ian Thomas

Mr Thomas stated that pupils need the 'best support' and further stated that: 'this unit has not been providing this support'.

4 year 6 pupils all took their SAT's and were all successful in their transitions to move on to their secondary provision. No exclusions were issued whilst pupils were placed at the Resource, and attendance figures were all in the high 90's or above.

Mr Thomas reported that "There were six children placed at this provision and all children have been moved to 'better' provisions."

Who has made this assumption? Have parents been spoken to? One child is still accessing only one hour per day learning, delivered by an HLTA and a TA in the YMCA. One child who is in out of authority provision is not successfully accessing this and his place could be in jeopardy. One further child is still only able to access approx. 45 minutes per day provision despite Flanderwell staff being instructed to support him full time when he was placed at Flanderwell with no transition plan in place as staff were instructed that this would not be beneficial.

These are children who have high levels of needs and who were at the time in unsafe provision. All are on a journey and we cannot say how that journey would have gone in Flanderwell. Some of them had not been attending for very long. We continue to work with parents and setting to provide what is bespoke and personalised for each child at each stage of their educational journey. The LA authority is seeking for all children to be placed in provision which meets the individual needs of each child.

“ the investment will not be lost...it will be used to accommodate demand from mainstream pupils”

What about the investment in Autism ?

This is part of the wider SEND sufficiency work and will not be forgotten

“ the need for the child with Autism will rise. We feel that these children would be better provided for in mainstream provision”

The majority of the pupils at Flanderwell had been excluded from mainstream school (some from multiple schools) and a significant number came to Flanderwell from elective home education where parents had grown dissatisfied with the placements offered to their children.

The quote refers to the rising needs in the general population. Many children can have their needs met in mainstream. Also, Flanderwell was a ‘mainstream’ provision and its replacement will be.

“Another site to be found attached to a mainstream provision”

There is not a readymade building available so how will this be funded?

This will be funded as part of the SEND Sufficiency Strategy and Place funding will be available to support the children and young people.

Chris Reed was contacted after the web cast to point out the above inaccuracies / concerns

Staff were assured that any new building will come out of the same funding that was used for Flanderwell.

He also explained that he was told that all children were in appropriate placements (refer to above).