

ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Cabinet
2.	Date:	27th November 2013
3.	Title:	Proposal to close the Emotional and Behavioural Difficulties Unit at Thorogate Junior and Infant School
4.	Directorate:	Children and Young People's Services

5. Summary

The Governing Body at Thorogate Junior and Infant School have requested that the current Emotional and Behavioural Difficulties (EBD) Unit be closed and relocated elsewhere within the Borough.

Following pre statutory consultation on the proposals, this report seeks approval to commence statutory consultation by the posting of a public notice for a 6 week period on proposals to formally close the Thorogate EBD Unit.

6. Recommendation:

It is recommended that Statutory Consultation on proposals to close Thorogate Junior and Infant School's attached Emotional and Behavioural Difficulties Unit should commence and that a further report be brought to Members with details of the outcome of that consultation.

7. Proposals and Details

The Governing Body at Thorogate Junior and Infant School have requested that the Local Authority should commence due process to formally close the Emotional and Behavioural Difficulties (EBD) Unit attached to the School.

Following discussions with the Department for Education (DfE), the closure of an EBD Unit attached to a School is classed as a 'prescribed alteration' under the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007. It is therefore necessary to consult on the proposals including a 6 week representation period prior to implementation.

Should pupils be relocated to an alternative location prior to formal closure, the Governing Body have been informed that they will remain the accountable body until formal closure is approved under the requirements of the above Regulations.

8. Finance

Although there are no cost implications to this proposal, the Local Authority will need to establish a new provision as part of the restructuring of PRU provision within the Borough.

9. Risks and Uncertainties

There are always risks and uncertainties when school place provision is considered since future numbers are based on estimations. Local Authorities are obliged, however, to provide sufficient places, promote diversity and increase parental choice. The current Thorogate Unit is full and there is a need to establish replacement provision.

If the Local Authority proceeds to the statutory phase of consultation, then formal objections may be lodged during the six week representation period following the publication of the statutory notice. A final decision should be determined by Cabinet 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.

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'.

11. Background Papers and Consultation

Consultation meetings and correspondence have been undertaken with the following: The Governing Body for Thorogate Junior and Infant School, Staff and Trade Unions, Parents / Carers , all Borough Councillors and Rotherham MPs.

Additionally, Consultation via correspondence has been undertaken with the Governing bodies of all schools in the Borough.

If the proposal was to progress to the statutory phase then the timetable would be as shown below:

Request formal approval to commence pre statutory consultation on the proposals	18 th September 2013
Report to Cabinet on the outcome of Pre Statutory Consultation and request permission to progress to Statutory consultation phase	27 th November 2013
Public notice period commences	6 th December 2013
End of Public notice period	17 th January 2014
Cabinet decision on the proposals following consideration of representations	January / February 2014
Implementation	Following approval January / February 2014

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