



AGENDA

SCHOOL ORGANISATION ADVISORY BOARD

Wednesday, 17th October, 2007, at 10.30 am
Council Chamber, Sessions House, County Hall, Maidstone

Ask for: **Geoff Mills/Karen Mannering**

Telephone **(01622) 694289/694367**

Tea/Coffee will be available from 10.15am outside the meeting room

UNRESTRICTED ITEMS

(During these items the meeting is likely to be open to the public)

1. Membership - The Board is asked to note that Mr C J Capon and Mr A D Crowther replace Miss S J Carey and Mr W A Hayton
2. Substitutes
3. Declarations of Interests by Members in items on the Agenda for this meeting.
4. Minutes of the meeting held on 11 July 2007
5. Dates of Meetings - 2008
 - 10 January – 10.30am – Darent
 - 7 February – 10.30am – Council Chamber
 - 19 March – 10.30am – Council Chamber
 - 7 May – 10.30am – Council Chamber
 - 12 June – 10.30am – Council Chamber
 - 17 July – 2.00pm – Council Chamber
 - 11 September – 2.00pm – Council Chamber
 - 9 October – 10.30am – Council Chamber
 - 5 November – 10.30am – Council Chamber
 - 10 December – 2.00pm – Council Chamber
6. Tunbridge Wells Community High School - Proposed Change of Age Range to Remove the Sixth Form from the School's Formal Designation (Pages 1 - 4)
7. Unit Review (Including Designated and Specialist Provision and Very Severe and Complex Need Support for Children and Young People with Special Educational Need at Mainstream Schools) (Pages 5 - 14)

8. Proposed Closure of Minster College and Cheyne Middle School and their replacement with an Academy, conditional upon a Funding Agreement forthcoming from the Department for Children, Schools and Families. (Pages 15 - 22)
9. Schools Applying for Foundation Status (Pages 23 - 24)

EXEMPT ITEMS

(At the time of preparing the agenda there were no exempt items. During any such items which may arise the meeting is likely NOT to be open to the public)

Peter Sass
Head of Democratic Services and Local Leadership
(01622) 694002

Tuesday, 9 October 2007

Please note that any background documents referred to in the accompanying papers maybe inspected by arrangement with the officer responsible for preparing the relevant report.

By: Director - Operations

To: School Organisation Advisory Board – 17 October 2007

Subject: TUNBRIDGE WELLS COMMUNITY HIGH SCHOOL – PROPOSED CHANGE OF AGE RANGE TO REMOVE THE SIXTH FORM FROM THE SCHOOL'S FORMAL DESIGNATION

Classification: Unrestricted

Summary: This report seeks the views of the School Organisation Advisory Board on a proposal to regularise the position regarding the suspension of sixth form provision at Tunbridge Wells Community High School and to change the age range from 11 to 19, to 11 to 16 years only.

Introduction

1. (1) The School Organisation Regulations 1999 defines 'the upper age limit' for individual schools as being 'the highest age of pupils for whom education is normally provided at the school'.

(2) Tunbridge Wells Community High School is currently designated as a school for students aged 11 to 19 years. The school's Sixth Form was suspended from September 2005, on grounds of viability. School organisation regulations do not, however, provide for temporary changes to the age range of a school. This proposal has, therefore, been brought forward to regularise the position and to bring it into line with legislative requirements. The proposal seeks to make a formal change to the age range of the school to provide for students aged 11 to 16 years only.

Background

2. (1) Tunbridge Wells Community High School is a small non-selective secondary school located to the east of Tunbridge Wells. A location map and a site plan are attached as Appendices 1 and 2.

(2) The roll is 436 (January 2007 pupil census) and is forecast to remain relatively constant over the next few years. It does not have sixth form students currently on roll, and has not done so since the sixth form arrangements were suspended from September 2005. Post 16 students from Tunbridge Wells High have been successfully transferring to alternative courses, sometimes at other local sixth forms but, mostly, to West Kent College which works in close partnership with the school.

(3) Numbers in the Sixth Form at Tunbridge Wells High had always been quite small and, in latter years, very small. Table 1 below details historic roll figures for main school and Sixth Form numbers from 2000 to 2005.

Table 1

Year	7	8	9	10	11	Total 11-16	12	13	14	Total 16+	Total
2000	85	88	86	107	99	465	29	17	7	53	518
2001	108	92	93	89	107	489	36	15	5	56	545
2002	106	111	94	100	86	497	29	25	4	58	555
2003	97	102	112	88	86	485	20	15	3	38	523
2004	105	91	103	101	81	481	19	10	1	30	511
2005	91	105	94	109	89	488	2	0	0	2	490

(4) The school's post-16 focus, since 1998, had been on vocational courses at 16+, offering a limited range of options, covering Performing Arts, Art and Design, Travel and Tourism and Business Studies.

(5) Over a number of years, as Table 1 demonstrates, the school's post-16 roll gradually fell, reflecting the challenges faced by a high school in an area surrounded by popular and successful selective and faith schools, offering a wide range of post-16 options. The addition of single sex secondary schools options, in nearby Tonbridge, and of comprehensive schools, less than ten miles away in East Sussex, meant that maintaining a Sixth Form was no longer viable.

(6) By 2003/04 the numbers of students in the Sixth Form had fallen to 30. The only way sixth form provision could continue would have been by using a cross-subsidy using formula funding intended for students at Key Stages 3 and 4. This was not considered justifiable. In order to secure the school's budget, governors were obliged to suspend the operation of the Sixth Form with effect from September 2005.

(7) The school believes it has benefited from the suspension of the Sixth Form in as much as skilled teachers, who previously taught at 16+, have been re-deployed to Key Stage 3 and 4 classes. This has contributed to an upward trajectory in results at the end of Key Stage 4 and to an outstanding performance as indicated by Contextual Value Added, validated by Ofsted in February 2005 and again in a more recent 'themed inspection' of science provision, in December 2006.

(8) In summary, suspension of the school sixth form was necessary and there have been real and significant ways in which the school has made a virtue of that necessity.

The Proposal

3. (1) The proposal is to change the designated age range of Tunbridge Wells Community High School, from co-educational provision for students aged 11 to 19 years, to co-educational provision for students aged 11 to 16 years.

(2) This will consolidate the already established partnership for post 16 progression routes with West Kent College and other local sixth forms. A closer working relationship with nearby West Kent College has been developed, so that all Tunbridge Wells High students have ready access to the vast range of post-16 opportunities at the College. These are jointly promoted by school and by college staff.

(3) Data from Connexions show that a higher than ever percentage of Tunbridge Wells High students are progressing at 16+ into education or employment with training. As collaboration continues to develop between partner institutions in the area, this trend of developing the right pathways for students will continue.

Consultation

4. (1) There is no prescribed consultation process that must be followed in order to secure a change of age status for a school. However, guidance from the DCSF suggests that it is good practice to seek the views of all stakeholders likely to be affected by the proposal.

(2) The school will therefore write to appropriate stakeholders, to inform them of the proposal contained within this report. It will be sent to all parents/carers of current students, staff, to other schools and colleges in the West Kent Learning Federation, to neighbouring local authorities and to the Learning and Skills Council for Kent and Medway.

(3) This consultation will take place during term 2 of this academic year. The views of stakeholders will then be reported back to SOAB at its January 2008 meeting. Following this a public notice will be issued in accordance with the Education and Inspections Act 2006 which will propose that the age range of the school be amended formally, with effect from September 2008.

Views of the Governing Body

5. The Governing Body of the school, having taken the decision to suspend the Sixth Form arrangements in 2005, is fully supportive of the proposal to formally re-designate the age range of students at the school.

Views of the Local Member

6. Mr Kevin Lynes, the Local Member fully supports this proposal.

Views of the Cluster Board

7. The Tunbridge Wells Cluster Board fully supports the proposal to regularise the position at the school.

Views of the Learning and Skills Council

8. The Learning and Skills Council for Kent and Medway has been fully involved in developing partnership arrangements to secure appropriate progression routes for post 16 students from Tunbridge Wells High and so fully supports this proposal.

Views of the Area Education Officer

9. The Area Education Officer fully supports this proposal.

Resource Implications

Capital

10. (1) There are no capital resource implications.

Revenue

(2) As the school currently does not make use of its designation to educate sixth form students there are no revenue implications.

Human

(3) No staff are currently employed in connection with the school's designation to educate sixth form students. Therefore, no changes to staffing arrangements are envisaged by the proposal.

Equality Issues

11. There are no equality issues particular to this proposal.

Transport and Environmental Impact including Community Implications

12. There are no transport, environmental, or community implications now arising from this proposal. Post 16 students from Tunbridge Wells High will continue to transfer to a range of post-16 education, training and employment pathways, as they have been since September 2005.

School Improvement Implications

13. The proposal provides for more effective and efficient progression routes at post 16.

Proposed Timetable

14. It is proposed that the results of the consultation exercise be reported back to the January meeting of SOAB. A Public Notice would then be issued in February 2008, with an implementation date of September 2008.

15. The views of the School Organisation Advisory Board are sought on going out to public consultation regarding revising the designated age range of students educated at Tunbridge Wells Community High School from 11-19, to 11 – 16 years of age.

Chris Lay
Area Education Officer
(Sevenoaks and Tunbridge Wells)
Tel: (01732) 525107

The Local Member is Mr Kevin Lynes.

Background Documents:

None

By: Director - Operations

To: School Organisation Advisory Board – 17 October 2007

Subject: UNIT REVIEW (INCLUDING DESIGNATED AND SPECIALIST PROVISION AND VERY SEVERE AND COMPLEX NEED SUPPORT FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEED AT MAINSTREAM SCHOOLS)

Classification: Unrestricted

Summary: This report updates Members on the progress of the review of units and specialist designations and alerts Members to the possible need for a statutory consultation in relation to some individual proposals.

FOR INFORMATION

Introduction

1. (1) In 2003 following the review of special schools across Kent, Members agreed the need to review Units and specialist designations. The objectives of the Review are:

- To ensure the pattern, diversity and organisation of provision reflects the changing needs of the pupil population
- To support schools in becoming more inclusive and accessible to all learners
- To reduce the long distances travelled by many children on a daily basis thus limiting stress for them and their families and reducing the expenditure on transport
- To ensure complementary provision to that available in special schools.

(2) Since 2003, a number of key initiatives and developments in Kent have influenced the review. The development of clusters and the move towards Children's Trusts-like arrangements provides the structure through which local provision can be commissioned to meet local needs. The Disability Discrimination Act, Part 4 means that all schools must work towards developing flexible approaches to ensuring better outcomes for children and young people with learning difficulties and disabilities. The organisation of mainstream resourced provision needs to take account of this. Equally, the opportunities presented by Building Schools for the Future and the 10-year Childcare strategy should be factored in.

Background Information

2. (1) There are 63 Units or designated specialist provisions within mainstream schools in Kent of which 55 have delegated funds and 8 non-delegated. Units and designations provide 938 places countywide. There are currently 757 pupils on roll. In addition 377 pupils have Very Severe and Complex Need (VCSN) funding. These learners attend mainstream schools in accordance with their parent's wishes and funding for them is allocated by a headteacher panel on a case by case basis. An increasing number of parents/carers are exercising their rights to secure local mainstream provision for children with severe and complex learning difficulties/disabilities.

(2) The following need types are covered by the review: Autism; Hearing Impairment (HI); Physical Disability (PD); Speech and Language; Specific Learning Difficulties (SPLD); and Visual Impairment (VI). The total funding allocated to this provision is £13m. This comprises delegated fixed sum and place funding for units 8.4m, Non delegated costed funding for units 1.1m and Very Severe and Complex Need (VSCN) funding 3.5m. The review encompasses all of the above provision.

(3) To achieve the objectives of the review, provision will be commissioned from each cluster. The idea of the 'Unit' is being refreshed making it more flexible and responsive to cluster need, through the introduction of the 'Cluster Lead School' accountable to and funded through the cluster board. The Cluster Lead School would be responsible for taking a lead in a particular need type and developing special expertise to support learners within a locality either in their own school or in other schools. A locality could consist of a cluster, district or area dependent upon the incidence of need. New funding mechanisms are being developed to fit with this new structure of provision.

The Proposal - Development of Cluster Provision

3. (1) Consultation and planning in clusters began in May 2006. Clusters have worked in groups with the support of the Project Manager, Local Education Officers, specialist CFE staff and local health professionals to develop proposals for cluster provision for children within each need type. The decision-making process, agreed by Cabinet on proposals for lead school provision is as follows:

- proposals are submitted to the county unit review multi-agency steering group for initial consideration;
- proposals are presented by area to Cabinet Members seeking their views on whether to consult with a wider group of stakeholders;
- the outcome of the consultation is presented to Cabinet and agreement on proposals sought.

(2) The proposals being developed by clusters are diverse and may include: schools which currently have unit provision becoming cluster lead schools for that particular need type; changes to the designation of existing provision and/or the establishment of new cluster lead schools that have not previously had a special unit or designation.

(3) The consultation process outlined above encompasses consultation with schools, parents, students and key local stakeholders and interested parties. This has enabled packages of proposals to be developed at a local level which covers the full range of need and takes account of the need to ensure an appropriate range and mix of provision within any given locality. However, in some cases there may be a need for further statutory consultation in relation to individual school-specific proposals.

(4) The School Organisation (prescribed alterations to maintained schools) (England) Regulations 2007 set out what constitutes a prescribed alteration to a school such as to trigger the need for a public notice process. One such prescribed alteration is "the addition or removal of, or change to provision reserved for pupils with SEN."

(5) The arrangements for establishing cluster lead schools and for de-designating some existing provision need to be considered against this statutory requirement, taking account of what is being proposed and the basis on which existing provision has been established. Given the intention to implement the concept of cluster lead schools and the proposed changes to the arrangements for funding specialist provision the definition of what constitutes a reserved place and whether an individual

proposal will therefore require an additional statutory consultation process requires legal guidance. This is currently being sought from KCC Legal Services.

(6) Subject to that advice it may be that some of the Phase One proposals would need to go through an individual public consultation process prior to issuing a statutory public notice proposal in addition to some of those proposals included in Phase Two.

(7) The intention is to seek the views of the School Organisation Advisory Board on all those proposals which require a statutory public notice proposal. If advice from Legal Services is available before the School Organisation Advisory Board meeting on 17 October, details of the Phase One proposals requiring statutory consultation will be reported at the meeting. Otherwise they will be brought to the next meeting of the School Organisation Advisory Board on 14 November 2007. Any Phase Two proposals requiring a statutory public notice will be brought to the School Organisation Advisory Board meeting on 7 February 2008 following consideration by Cabinet of the overall package of proposals at its meeting on 14 January 2008.

(8) It is very important to note that the emerging pattern of provision suggests that most schools with existing units are being identified by their clusters as the Cluster Lead School. Clusters are at two different stages of development.

Phase One

(9) In Phase One, there are eight Clusters. Proposals for these Clusters formed the basis of a consultation process undertaken during June and July 2007. The majority of responses to the consultation on Phase One proposals, (73%) were positive. A full report on the outcome of this consultation is the subject of a Cabinet paper presented to Cabinet on the 17th of September 2007, a copy of which is annexed to this report.

Phase Two

(10) All remaining Clusters are part of Phase Two. Continued progress has been made on cluster lead school nominations for these areas and a detailed presentation will be made to Cabinet Members on 15 October prior to a wider consultation in each area.

(11) Details of the proposals in Phase One are included in the report to KCC Cabinet on 17 September 2007, a copy of which is annexed to this report. The details of Phase Two proposals will be considered by Cabinet Members on 15 October following which they will inform local Member briefings and consultation with local stakeholders before being reported to Cabinet for agreement at the meeting on 14 January 2008.

The Views of the Clusters

4. All of the proposals for both Phase One and Phase Two have been developed in consultation with cluster schools and reflect the collective views of the clusters which have considered proposals within the context of local needs and circumstances.

The Views of the Governing Bodies

5. All of the proposals for Phase One and Two are supported by the governing bodies of the schools concerned.

The Views of Local Members

6. (1) Local Members were fully briefed on Phase One proposals at a dedicated briefing which was held on 25 May 2007. Similar meetings are scheduled for local Members in respect of Phase 2 proposals on 16 October 2007 and 19 October 2007.

(2) The views of individual local Members will be reported to SOAB in respect of any individual proposals requiring a statutory consultation.

Resource Implications

7. (1) The revenue, capital and staffing implications in relation to Phase One proposals are set out in the Cabinet Report of 17 September which is annexed to this report.

(2) New funding proposals have been developed by a working party consisting of officers, headteachers, teachers in charge of units and including members of the Schools Forum.

(3) On 20 July, the funding proposals were agreed by the Schools Forum as the basis for consultation in the Autumn. Details of the proposed changes are included in the Cabinet paper annexed to the report.

(4) The specific capital, revenue and staffing costs of Phase Two proposals will be reported to SOAB once proposals have been agreed by Cabinet on 15 October.

Recommendations

8. Members are asked to NOTE the progress of the review and consider whether any individual proposals which may be tabled at the meetings should be subject to a public consultation process with a view to issuing a statutory public notice proposal in due course.

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Background Documents:

Cabinet Reports on the Unit Review:

16 October 2006
13 March 2007
17 September 2007

By: Graham Badman, Managing Director, Children, Families and Education
Mark Dance, Cabinet Member for Operations, Resources & Skills, CFE
Chris Wells, Cabinet Member for Children, Families & Educational Standards, CFE

To: Cabinet – 17 September 2007

Subject: UNIT REVIEW (INCLUDING DESIGNATED AND SPECIALIST PROVISION AND VERY SEVERE AND COMPLEX NEED SUPPORT FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEED AT MAINSTREAM SCHOOLS)

Classification: CONFIDENTIAL

Introduction

1. (1) In 2004 Members agreed the need to review Specialist Unit and Designated provision in mainstream schools in Kent. The Cabinet paper on 16 October 2006 set out the objectives and strategy of the Review. The Cabinet paper on 13 March 2007 set out in more detail the policy context for the Review and Members agreed the next stages including the consultation process for approving proposals for each area.

(2) This report updates Cabinet Members on progress of the key strands of the Review strategy and seeks approval from Cabinet Members on the proposals for Phase One Clusters and the timetable for consultation on proposals for Phase Two Clusters.

Phase One Clusters

2. (1) In Phase One, there are eight Clusters. Proposals for these Clusters formed the basis of a consultation process undertaken during June and July 2007. The majority of responses to the consultation on Phase One proposals, 73% were positive. Stakeholders were particularly supportive of the following elements of the proposals

- the Lead school vision of sharing expertise and resources within a locality
- the concrete proposals for new Lead schools which will reduce travelling distances for children in the future
- the idea of groups of schools working together to make decisions
- the potential within the proposals for influencing the practice of staff in all schools

(2) Reports on the consultation in each Phase One area are attached at Appendix One. Each report includes the list of proposed Lead schools, Feedback from the consultation in the area, Changes or actions proposed as a result of the consultation. During the consultation process common concerns and issues set out below, were identified which will inform the next stages of the Review.

(3) Key themes and outcomes of consultation

Monitoring of provision and resources

The monitoring of Lead Schools and Clusters was a recurrent theme of the consultation. Stakeholders wanted reassurances that the Local Authority would monitor the resources allocated to Lead schools and decisions taken by Clusters. The County Steering Group has set out the arrangements that will be put in place to monitor and evaluate Clusters and Lead schools against agreed criteria which include Pupil Outcomes, Parent/carer satisfaction, Planning and decision-making processes and Efficient and Effective use of Resources. In addition, the Local Authority will require all Clusters and Lead schools to demonstrate conformity with statutory requirements, integrity of decision making, traceability of expenditure and consistency of provision.

Planning for a range of SEN provision in each locality

The Headteachers of Special Schools for children with Profound, Severe and Complex Needs raised specific issues regarding the planning of Lead school outreach support in the context of the wider range of SEN provision. The County Steering Group is clear that Lead schools will offer one part of the full range of SEN provision within each locality alongside other providers like Specialist Teachers, Special Schools and Health services. The Steering group is proposing to work more closely with the Headteachers of Special Schools to ensure that there is a common understanding of the vision for SEN outreach support to mainstream schools in the future. In addition, Guidance to Clusters on the development of Lead schools will be strengthened to emphasise the role of the Special School as a joint partner within the range of SEN provision in each locality

Role and Expectations of Lead schools

Stakeholders put forward valuable suggestions on the kind of services Lead schools could provide. These included awareness training for all school staff and pupils, follow up monitoring of advice provided to schools, joint training and closer working with community groups and parent support groups. Children and young people were particularly concerned that schools address bullying more effectively. The County Steering Group is proposing to strengthen the Expectations of Lead schools for each need type to include suggestions put forward during the consultation. Feedback from the consultation will also be shared with Lead schools and Cluster Boards to inform the planning of provision locally.

Capacity of proposed Lead Schools

There was a positive response from all stakeholders to the vision of what Lead schools for each need type will deliver in the future as set out in the Expectations of Lead Schools. There was concern raised about the capacity within some of the proposed Lead schools to deliver the full range of support from September 2008. In line with Kent County Council's Improvement Strategy for Schools and Settings¹, the County Steering Group will endeavour to ensure that all Lead schools are schools within the top two categories of Outreach schools or General Support Schools as defined by the Advisory Service Kent within the strategy. Where a Lead school is identified in the other categories of Substantial or Intensive support the following is proposed. The Lead school and Cluster Board(s) in consultation with the Principal Advisor, Primary or Secondary will agree a level of provision which ensures that the Lead school delivers on it's responsibilities for individual children within the Cluster(s) but reduces it's outreach role to enable the school to focus on improvement. The County Steering Group is proposing to strengthen the Monitoring and Evaluation Framework to reflect this.

Communication with parents

¹ Kent County Council Improvement Strategy for Schools and Setting July 2007 – Produced by Advisory Service Kent

During the consultation parents asked questions about the role of the Lead school, the timetable for the development of each Lead school and how their children will access them. Parents were also concerned that they retain the right to choose a provision outside of their area if it is the most appropriate. The Steering Group working with each Cluster or group of Clusters is proposing, from September 2007 to provide regular information to parents on the implementation of Lead school provision in their locality as it develops.

(4) Resource Implications

Revenue

Phase One proposals will be developed within the current Unit and Designation revenue budget

Therapy support for new provision and the potential outreach role implicit in the expectations of all Lead schools will have resource implications for the Health Therapy services. Health colleagues represented on the County Steering group have begun work on mapping existing therapy resources across the County and planning for proposed Lead school provision.

Capital

The following are the capital costs of Phase One proposals

- New Primary Lead school provision for Autism in the Ashford Clusters to include 6-8 specialist placements - £150,000
- Dartford Grammar School – proposed Lead school for Visual Impairment secondary in the North West Kent Clusters – mobile accommodation to locate resource base - £9,000 - £12,000

Additional capital costs of new provision and refurbishment of existing provision is included in either PFI or BSF planning. There are no other capital implications to the Phase One proposals

(5) Staff Implications

The Ashford Clusters have proposed Furley Park primary school as the new Lead school for Physical Disabilities. The current designations for Physical Disabilities in the area are Willsborough Infant and Junior schools. The new proposal will have potential implications for the small number of permanent staff working within the current designation.

As a result of the proposals in North West Kent, staff currently employed directly by Kent County Council at the Nick Hornby Centre in Meopham school will need to be TUPE transferred to the employment of Meopham school which is proposed as a Lead school for children with Autism Spectrum Disorder. Staff currently employed by Kent County Council at the Hearing Impairment unit at Leigh CTC will need to be TUPE transferred to the employment of the new Leigh Academy which will be commissioned by the Clusters to provide Lead school services in North West Kent

(6) Transition

Transition arrangements proposed for the Review will ensure that children currently accessing specialist support in mainstream schools continue to receive the same level of support for the duration of their education. This means that there will be a lengthy transition period of at least five years during which Lead schools and Clusters with the

support of the Local Authority will plan the development of provision taking account of the staffing and resource implications outlined above.

Once agreed by KCC Cabinet Members, Phase One Clusters will begin work with local service providers and multi-agency partners on the development of detailed implementation plans for each Lead school with the support of the Project manager and specialist CFE staff.

Phase Two Clusters

3. All remaining Clusters are part of Phase Two. Continued progress has been made on Lead school nominations for these areas and a detailed presentation will be made to Cabinet Members in the Autumn prior to a wider consultation in each area. A timetable is attached at Appendix Two.

Funding proposals

4. (1) Proposals for new funding arrangements, which fit with the new structure of provision implicit in the Review strategy, have been developed by a working party established in April. In addition to the relevant CFE officers, the working party included members of the Schools Funding Forums, Headteachers and Teachers in Charge of current units and designations and Local Education Officer representation.

(2) The proposals developed by the group were presented to the Schools Funding Forum on 20th of July and agreed for consultation during the Autumn term 2007. The key elements of the proposed funding formula are

- Formula Funding for provision for children with Physical Disabilities (PD), Autism (ASD), Specific Learning Difficulties (SpLD) and Speech, Language and Communication (SLCN) should be based on percentage of population.
- Formula funding for provision for children with Hearing Impairment (HI) and Visual Impairment (VI) should be based on data held by the Specialist Teaching Service to reflect the variance by area in low incidence needs
- Funding for children with PD medical need and VI & HI high-end support will be removed from the formula and funded on a separate basis, as these very expensive cases cannot be met from the normal formula.
- All lead schools will receive an annual operational sum to reflect organisational and management arrangements
- Protection will be provided for all children in Units or with Very Severe and Complex Need funding until they reach the end of their current phase of schooling. This funding will be paid directly to the school the child is attending
- Specific anomalies identified during the first modeling of the formula for Autism in the North West Kent Clusters will be analysed and resolved in consultation with the Clusters and proposed Lead schools in the area

(3) It is proposed that the new funding arrangements set out above be approved for wider consultation with schools with a view to implementation in September 2008.

Recommendation

5. The Cabinet is requested to:
- (a) NOTE the progress of the Review;
 - (b) APPROVE Phase One proposals (detailed in Appendix Two) for implementation to start in September 2008; and
 - (c) AGREE funding proposals set out at paragraph for consultation in the Autumn term 2007

Nuala Ryder
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Background Papers:

Cabinet Report – Unit Review – 12th of March 2007
Cabinet Report – Unit Review – 16th of October 2006

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By: Director - Operations

To: School Organisation Advisory Board – 17 October 2007

Subject: Proposed closure of Minster College and Cheyne Middle School and their replacement with an Academy, conditional upon a Funding Agreement forthcoming from the Department for Children, Schools and Families.

Classification: Unrestricted

Summary: This report informs the School Organisation Advisory Board of the steps necessary to achieve the secondary phase of education within the two-tier system on the Isle of Sheppey.

FOR INFORMATION

Introduction

1. (1) At its meeting on 24 July 2006 the School Organisation Advisory Board supported the proposal to consult on the principle of reorganisation from a three-tier system to a two-tier system with transfer at 11+. Public consultation was carried out between September and November 2006.

(2) The results of this consultation were reported back to the School Organisation Advisory Board at its meeting on 13 December 2006 who recommended implementation. A Cabinet Member decision to implement this proposal was recorded on 10 January 2007.

(3) Public consultation on the primary phase of the two-tier system was carried out through proposals for each individual school involved, and the results were reported back to the School Organisation Advisory Board at its meeting on 16 May 2007. Permission to implement the proposal for the primary phase was given on 24 July 2007 by the Cabinet Member.

(4) Public consultation on the proposal for the secondary phase of education through establishment of an Academy on the Isle of Sheppey has been carried out by consultants (Mouchel Parkman) as required by the Department for Children, Schools and Families. Kent County Council is now required to publish a Public Notice to close Minster College and Cheyne Middle School and to replace them with an Academy conditional upon a Funding Agreement forthcoming from the Department for Children, Schools and Families. Until the Public Notice is determined the Funding Agreement to build the Academy cannot be obtained. It is a legal requirement for Minster College and Cheyne Middle School to formally close before the new Academy can be opened. It must be stressed that the proposed closures are dependent upon a final Ministerial decision to grant funding for the establishment of a new Academy. If this agreement is not forthcoming, this proposal will be withdrawn and new proposals for the secondary phase of education on the Isle of Sheppey will be brought forward.

The Isle of Sheppey Academy

2. (1) It is proposed that the Academy opens in existing premises in September 2008. There will be one Academy Principal with overall responsibility for both the Academy sites. The whole Academy will have the dual specialisms of Business & Enterprise and Sport.

(2) Following a report commissioned by the Minister, the advice from Lord Adonis, Parliamentary Under Secretary of State for Schools and Learners, on 23 July 2007 gave clear guidance as to the shape of the Academy, with the allocation of additional funding making it possible to adopt the two-site option for the Academy, using the existing sites of Minster College (to be known as the Academy East Site) and Cheyne Middle School (to be known as the Academy West Site). Copies of the letters dated 26 July from Lord Adonis to the Leader of Kent County Council and from the Leader to Lord Adonis are attached as Appendix 1.

Admission to the Academy

3. (1) Both locations will offer over time, education to students aged 11-18. Within the overarching Academy there will be small schools on each site. Admission to the Academy will be phased over a 2 year period as indicated in Table 1. Pupils attending St George's CE Middle School and Danley Middle School during the academic year 2008-09 can remain as pupils of those schools. In September 2008 Year 6 pupils from Cheyne Middle School will remain in the middle school phase. All pupils aged 11-16 will transfer into the Academy in September 2009.

Table 1

School	Sept 08	Sept 09	Sept 10
St George's CE Middle School	Yr 6	Primary Yrs R-6	Primary Yrs R-6
	Yr 7	PAN 60	PAN 60
	Yr 8		
Danley Middle School	Yr 6	Closed	Closed
	Yr 7		
	Yr 8		
Academy West Site (Cheyne)	Yr 6 *		
	Yr 7	Yr 7	Yr 7
	Yr 8	Yr 8	Yr 8
	Yr 9	Yr 9	Yr 9
		Yr 10	Yr 10
			Yr 11
Academy East Site (Minster)		Yr 7	Yr 7
		Yr 8	Yr 8
	Yr 9	Yr 9	Yr 9
	Yr 10	Yr 10	Yr 10
	Yr 11	Yr 11	Yr 11
	Yr 12	Yr 12	Yr 12
	Yr 13	Yr 13	Yr 13

* not pupils of the Academy

(2) The Academy will comply with all relevant provisions of the statutory Admissions Code of Practice and the School Admission Appeals Code of Practice as they apply at any given time to maintained schools and with the law on admissions as it applies to maintained schools.

(3) The Academy will in time have sufficient accommodation for all pupils (11-18) on the Island. The overall size will be 2100 (11-16 year olds) with 500 in the sixth form (17 and 18 year olds). Each school within the Academy will be of equal size, with an overall intake of 420 in each year group across the Academy.

Conclusion

4. Members are asked to note that issue of a Public Notice is now necessary. The Notice will propose the closure of Minster College and Cheyne Middle School to replace these schools with an Academy in September 2008 subject to the Department for Children, Schools and Families Funding Agreement.

Alison Osborne
Area Education Officer
(Canterbury & Swale)
Tel: (01227) 284461

The Local Members are Mr Adrian Crowther and Mrs Angela Harrison

Background Papers:

Reports to School Organisation Advisory Board on:
24 July 2006
13 December 2006
16 May 2007

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Andrew Adonis

Parliamentary Under Secretary of State for Schools and Learners

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Cllr Paul Carter
Leader
Kent County Council
Sessions House
County Hall
Maidstone
ME14 1XQ

26 July 2007

Dear Paul,

Sheppey Academy

Following our request to Maurice Smith to conduct an independent review of the proposals for the Isle of Sheppey Academy, I intend to publish his report on 26 July under cover of this letter outlining the Government's response. I am grateful to you and to Graham Badman and his team for KCC's support throughout this inevitably complex process.

I have noted Maurice's recommendations and, subject to the conditions set out below, the Government is willing to implement his key recommendations for an Academy on two sites at Minster and Cheyne. There will be a single governance structure and an integrated 11-18 curriculum, but parents should be able to express a site preference at the age of 11 and 16, with appropriate flexibility also (reflecting the different specialisms and pupil curriculum choices) for pupils to transfer between sites for Key Stage 4 programmes. Decisions on the specialisms and the precise admission arrangements will need further consideration, and I look forward to advice from the project team, in consultation with you and the local community.

It is vital in my view that we provide the local community with a clear plan to move the project forward; one that will deliver an exciting and effective two-site Academy to serve the whole Sheppey community, adequately funded and delivered to a firm timetable. I believe this new plan, if properly implemented, will accomplish this. I have also spoken to Derek Wyatt MP who is fully supportive of the proposed way forward.

The Government's approval for this Academy plan to proceed to feasibility stage is subject to the following conditions:

1. Capital costs. In order to support this vision, I am increasing the Government's capped capital investment to £46m, and I welcome KCC's commitment to provide a further £3m, raising its contribution to £4m. This will provide a total capital budget of £50m. I am also asking KCC to confirm that it will underwrite any significant cost above and beyond that figure, and to fully apply the capital assets at its disposal that this proposal makes available. I should stress that the Government cannot increase its funding beyond £46m in any circumstances.

2. Sponsorship and project leadership. It is important that there be a credible non-local authority lead sponsor to take responsibility for driving the academy project forward, and I am delighted that Dulwich College has agreed to your proposal that they become the lead sponsor and accordingly be responsible for the appointment of the academy's governing body. Dulwich College has made a significant contribution to the project – particularly in the work of Ralph Mainard – and I believe they have the capacity to make a real success of this academy in partnership with the local community. I am grateful to the De Haan Charitable Trust for its £1m donation to the Academy to establish its endowment. I also welcome the continued engagement of the Church of England and local stakeholders as partners in the new Academy.

Subject to receiving your formal agreement to the terms of this letter, the project will now resume its feasibility phase so that the timeline to reach Funding Agreement to identify a definite opening date can be reviewed and agreed with the Government and the County Council in September.

I am copying this letter to Lord George at Dulwich College, to the Bishop of Dover, to Roger de Haan, to Derek Wyatt MP, and to Ronnie Norman, Chair of the Academy Project Steering Group.

Yours ever,



ANDREW ADONIS



Paul Carter Leader of the Council

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26 July 2007

Dear *Andrew,*

Thank you for your letter. I am delighted that it would appear we now have a way forward to build a new secondary education system for the Isle of Sheppey and resume the feasibility stage.

I see little point in a detailed critique of former HMI Maurice Smith's report. Like you, I accept that with the additional capital you have made available, a two site option is now possible. In that regard, I am pleased to confirm that KCC will increase its sponsorship to £4m, making a total capital amount of £50m. As sponsor, on behalf of Kent County Council, I accept the responsibility to value engineer the project, control capital expenditure and therefore take financial responsibility for cost over-runs above that amount.

We shall, of course, seek to maximise the benefits of current assets not required for the academy project either to defray such expenditure or add to the total value of the project.

I am pleased that Dulwich College is assuming a more prominent role and agree the need to offer the Sheppey community greater surety about the development of this project and the enormous opportunity offered by the creation of the academy.

Finally, may I in turn thank you both for your own personal interest and the exemplary work of your officers within the Department.

Yours sincerely

Paul Carter

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By: Director - Operations

To: School Organisation Advisory Board – 17 October 2007

Subject: SCHOOLS APPLYING FOR FOUNDATION STATUS

Classification: Unrestricted

Summary: To inform Members of the current situation regarding Trust Status, and to recommend a process for responding to and reporting proposals.

FOR INFORMATION

Background

1. (1) The present Government *'aims to transform our school system so that every child receives an excellent education – whatever their background and wherever they live'* (*Changing Category to Foundation: DCSF, 2007, page 1*). They believe that one way of achieving this is for *'all schools to become self-governing'* (*ibid*).

(2) The Education and Inspections Act 2006 sets out provisions for schools to obtain Foundation (sometimes called 'Trust') status using a fast track procedure.

(3) The original status of 'foundation school' was set out in Section 21 of the School Standards and Framework Act 1998. Foundation schools, like Aided Schools (which are really a form of foundation school) employ their own staff and hold their buildings and land 'in trust' from the Local Authority.

(4) Currently we have 57 foundation schools in Kent (13 Primary and 44 Secondary) and 91 Aided schools (78 Primary and 13 Secondary).

(5) Although the Government is not requiring all schools to become 'Foundation', they are being strongly encouraged.

(6) This encouragement sits logically alongside the Government's (and Kent's) view that local authorities should divest themselves of much of their day to day operational responsibilities and become more strategic. A strategic authority would continue to have:

- a strategic overview and co-ordination of statutory services;
- a commissioning (including budget) function;
- a monitoring function;
- an evaluation function; and
- an intervention function, when necessary.

(7) The DCSF has instituted a 'fast track' process, which involves a governing body consulting on a proposal for a (minimum) four week period. They are required to consult with the host local authority as part of the process. At the end of the consultation period the governing body can decide to publish a public notice (in

accordance with the School Organisation: Prescribed Alteration to Maintained Schools, England Regulations 2007).

(8) Unless there are very good reasons not to do so, the change of status will be agreed by the DCSF.

(9) A number of Kent schools are currently considering foundation status, and more will do so.

(10) Two schools, Maidstone Grammar and Broomhill Bank have undertaken consultations which required responses from the Local Authority. In consultation with the Cabinet Member we have not submitted objections.

Issues

2. (1) The consultation period does not usually allow the LEA time to prepare and bring a paper to SOAB for a view on whether to object.

(2) Objections are likely to be 'Canute - like', trying to resist a tide that is unstoppable.

Recommendations

3. It is recommended that:-

- (1) Unless there are very good reasons to the contrary, the LA will not oppose any governing body wishing to move to foundation or trust status.
- (2) The Director (Operations) will consult with the Cabinet Member before responding to a consultation on foundation or trust status.
- (3) Responses will be reported to the next available SOAB.

Ian Craig
Director (Operations)
01622 694173
ian.craig@kent.gov.uk

Background Documents:

Changing Category to Foundation: DCSF 2007
Education and Inspections Act 2006: DfES 2006
School Standards and Framework Act 1991: DfES 1998
School Organisation: Prescribed Alterations to Maintained Schools England Regulations, DCSF 2007