

KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Shellina Prendergast, Cabinet Member for Education and Skills

DECISION NO:

To be allocated by Democratic Services

For publication

Key decision: YES

Key decision criteria. The decision will:

- b) be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions –*

Subject Matter / Title of Decision

Proposed Expansion of Snowfields Academy

Decision:

As Cabinet Member for Education and Skills, I propose to:

- I. Authorise the allocation of £3.2 million from the High Needs Provision Capital Allocation budget to fund the permanent expansion of Snowfields Academy, by increasing the Designated Number from 140 to 280 places from September 2022.
- II. Authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council with the Leigh Academies Trust.
- III. Authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

Reason(s) for decision:

Background

1.1 Kent County Council (KCC), as the Local Education Authority (LEA), has a statutory duty to ensure sufficient school places are available. The County Council's Commissioning Plan for Education Provision in Kent 2020-24 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent.

1.2 The latest KCP shows that the number of children and young people in Kent with an Education and Health Care Plan (EHCP) continues to rise and as of January 2020 totalled 13,499. The KCP also indicates that half the districts in Kent experienced growth of EHCP's above the national average of 10%. Moreover, the group experiencing the highest EHCP percentage growth is young people aged 11-16. The area of Kent with the highest EHCP growth rate is Tunbridge Wells, the borough to which Cranbrook belongs, at 18.5% between 2019 and 2020. The next highest are Tonbridge and Malling and Ashford, both of which neighbour Cranbrook.

1.3 Figures show that Autistic Spectrum Disorder (ASD) remains the most common primary need type with 41.2% of children and young people with an EHCP (0-25 years) having ASD identified as their primary need. This is an increase from 40.3% on January 2019.

Further information

2.1 Leigh Academies Trust (LAT) is proposing to expand Snowfields Academy from 1st September 2022; Snowfields is a secondary special school for pupils aged 11-18 with an EHCP with the primary need of ASD. The expansion would be facilitated through the establishment of a satellite in Cranbrook. If established, the total capacity of the academy will increase from 140 to 280 pupils.

2.2 The Trust proposes to establish the satellite on the site of High Weald Academy. The Secretary of State has taken the decision that High Weald Academy's funding agreement should be terminated by mutual agreement with the Leigh Academies trust, and the school will close at the end of this school year (August 2021).

2.3 The land and buildings of High Weald Academy are not owned by Kent County Council. As the expansion represents a Significant Change to an academy, the Regional Schools Commissioner is the relevant decision maker with regards to the principle of the expansion, Kent County Council holds a responsibility for ensuring sufficient school places.

2.4 LAT has undertaken a consultation on the establishment of the satellite of Snowfields, following submission of a Full Business Case from LAT to Regional Schools Commissioner, the proposal has been considered by the RSC and approved in principle subject to capital funding.

Financial Implications

3.1 In April 2021, the DfE announced its distribution of the High Needs Provision Capital Allocations (HNPCA), which is paid to LAs to support the provision of places for pupils with SEND and those pupils requiring alternative provision (AP). Kent received £6,638,937 of HNPCA funding and it is proposed that £3.2 million will be allocated to fund the expansion of Snowfields Academy. It will be a school managed scheme and the Trust has engaged architects and quantity surveyors to determine the cost of the works.

3.2 The funding represents a per pupil cost of £22,857; this is significantly lower than the national average per place cost of £79,259; this is reflective of the nature of the works being to repurpose an existing building rather than construct new buildings. The project therefore represents significant value for money.

3.3 KCC will provide the HNPCA funding in return for the Trust completing the work needed to re-provision the existing HWA buildings to enable the permanent expansion of Snowfields Academy, thereby increasing the Designated Number from 140 to 280 places from September 2022. The roles and responsibilities of each party will be formally set out through a legal contract between KCC and LAT. KCC will monitor progress regularly during the building works to ensure that the accommodation needs are being met.

Equalities implications

4.1 An Equality Impact Assessment (EqIA) has been produced and no issues were identified in the early stage EqIA, but the assessment will be reviewed as the project continues.

Legal implications

5.1 The proposed expansion will be subject to a legally binding and enforceable contract being in place between KCC and the Trust.

5.2 The provision of sufficient school places is a statutory duty and contributes to the Strategic Business Plan Priorities to ensure that "Children and Young People in Kent get the best start in life".

Cabinet Committee recommendations and other consultation:

6.1 The Children's and Young People Cabinet Committee considered the decision on 11 January 2022.

Any alternatives considered and rejected:

7.1 Snowfields Academy has a local cohort of children from the Maidstone area, but also admits pupils from a wider area across the county. There is currently no special needs provision in the Cranbrook area and throughout the county there is a need for additional SEND places. The provision of additional places in the Cranbrook area will reduce the potential travelling times for future cohorts of pupils who live within the Tunbridge Wells and neighbouring districts and provide much needed additional SEND provision.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:

None

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signed

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date