

**From:** Rory Love, Cabinet Member for Education and Skills

Sarah Hammond, Corporate Director of Children, Young People and Education

**To:** Children's, Young People and Education Cabinet Committee – 16 January 2023

**Decision:** 23- 00114 - Proposed expansion of Snowfields Academy, Popesfield Way, Weaving, Maidstone, Kent, ME14 5GA

**Key Decision :** It involves expenditure or savings of maximum £1m – including if over several phases

**Classification:** Unrestricted

**Past Pathway of report:** N/A

**Future Pathway of report:** Cabinet Member Decision

**Electoral Division:** Andy Booth – Sheppey  
Mike Whiting – Sheppey

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**Is the decision eligible for call-in?** Yes

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**Summary:** This report sets out the proposal to expand Snowfields Academy, Popesfield Way, Weaving, Maidstone, Kent, ME14 5GA through the establishment of a satellite of Snowfields for 60 pupils, therefore increasing the school's designated number from 280 to 360. Snowfields Academy is part of Leigh Academies Trust . The satellite proposal is aligned with the Secretary of State's decision on the closure of Oasis Academy Isle of Sheppey and the proposals for the opening of two new secondary schools: Leigh Academy Minster on the existing Oasis Academy Isle of Sheppey (Minster campus) which includes the establishment of the satellite of Snowfields Academy, and EKC Schools Trust Sheppey Secondary (Sheerness site).

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Education and Skills on the proposed decision to:

- a) *Authorise the allocation of £2,545,790.41 from the High Needs Provision Capital Allocation budget to fund the permanent expansion of Snowfields Academy, by increasing the Designated Number from 280 to 340 places from September 2024.*
- b) *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.*

*c) 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.*

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## **1. Introduction**

- 1.1 Kent County Council (KCC), as the Local Authority (LA), has a statutory duty to ensure sufficient school places are available. The County Council's Commissioning Plan for Education Provision in Kent (KCP) 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 LA is responsible for issuing and maintaining Education Health and Care Plans (EHCPs) for children and young people between the ages of 0-25 years. As of January 2023, this totalled 18,930 children and young people with an EHCP in Kent. This is an increase of 1,197 (6.8%) since January 2022. In England, the number of children and young people with EHC plans increased to 517,000 in January 2023, up by 9% from 2022. The number of EHCPs have increased each year since 2010. Autistic Spectrum Disorder (ASD) remains the most common primary need type with 42.7% of children and young people with an EHCP (0-25 years) having ASD identified as their primary need. This is an increase from 41.2% in January 2020.
- 1.3 Leigh Academies Trust (LAT) is taking part in the consultation on the closure of Oasis Academy Isle of Sheppey and the S10 process for the opening of two new secondary schools: Leigh Academy Minster on the existing Oasis Academy Isle of Sheppey (Minster campus) and EKC Schools Trust Sheppey Secondary (Sheerness site). As part of Leigh Academy Trust's proposal for the new secondary school on the Minister site, it is proposed to establish a satellite of Snowfields for up to 60 students in separate bespoke accommodation on the mainstream school site for September 2024. There is a possibility that the establishment of the satellite may have to be delayed to September 2025 due to timing of commencement of the refurbishments related to when the new Trust would be able to access the site and commence works.

## **2. Key Considerations**

- 2.1 This proposal will help to support Framing Kent's Future – Our Council Strategy (2022-2026) Priority 1 - Levelling up. 'To maintain KCC's strategic role in supporting schools in Kent to deliver accessible, high quality education provision for all families.'
- 2.2 This proposal also helps to meet the targets set out within KCC's Safety Valve Programme, providing additional maintained special school capacity that will support a reduction in placements within the higher-cost independent and non-maintained special school sector. It also provides specialist capacity on the Isle of Sheppey, reducing the numbers of children having to travel off the Island for their provision, thereby improving the experience of the young people and

reducing the costs to the SEN transport budget. This satellite has been included within Safety Valve calculations and targets.

- 2.3 The proposal also supports KCC's SEND Strategy 2021-2024. The aim of the SEND strategy is to improve the educational, health and emotional wellbeing outcomes for all of Kent's children and young people with special educational needs and those who are disabled.
- 2.4 This proposal is part of the wider consultation process on the closure of Oasis Academy Isle of Sheppey and the S10 process for the opening of two new secondary schools: Leigh Academy Minster on the existing Oasis Academy Isle of Sheppey (Minster campus) and EKC Schools Trust Sheppey Secondary (Sheerness site). As part of Leigh Academy Trust's proposal for the new secondary school on the Minister site, it is proposed to establish a satellite of Snowfields for up to 60 students in separate bespoke accommodation on the mainstream school site. A decision is needed by January 2024 on the allocation of the High Needs Funding capital to align with the DfE/Secretary of State's decision on the closure of Oasis Academy Isle of Sheppey and the process for the opening of the two new secondary schools with the two academy trusts and the issuing of the respective funding agreements.

### **3. Background**

- 3.1 Historic and continuing lack of popularity of Oasis Isle of Sheppey Academy and local confidence in its provision amongst some Island resident families has led to increasing numbers of children travelling off the Island to Sittingbourne schools. Following an Ofsted judgement of Inadequate for Oasis Isle of Sheppey Academy, the DfE is proposing a two trust, two school solution for secondary provision on the Island.
- 3.2 The 60 place satellite of Snowfields will help to address the numbers of children and young people with an EHCP who require a specialist place, travelling off the Island to access an appropriate education. Snowfields (Cranbrook) already takes 17 children from the Isle of Sheppey. More than 160 children (primary and secondary with ASD/ PSCN /Speech Language and Communication needs) currently travel off the Island for their specialist provision. This is displacing children who are new to the areas where the special schools are sited further afield to access their education.
- 3.3 Leigh Academy Trust has undertaken a consultation from 6 November 2023 to 4 December 2023 on the establishment of the satellite of Snowfields. The consultation pack was distributed, along with a Google response form, to those who were deemed to be potentially affected by the proposal as set out in the Significant Change Guidance.

In addition to the consultation pack being provided, a meeting was held with all staff and parents wishing to have a follow-up conversation

A total of 25 responses were received as part of the consultation. 100% of respondents said that they agreed with the proposal. These were broken down as follows:

Parent of a pupil at Snowfields:

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Parent of a pupil at OAloS:	6
Staff / governor at another local school:	13
Staff / governor at OAloS:	2
Councillor or MP:	1
Local resident:	1

The Members for Sheppey, Andy Booth and Mike Whiting have been consulted on the proposal and are fully supportive of the proposal.

Mike Whiting commented; For too long there has been no provision on the Island for those with an EHCP requiring a special school, and it was estimated at a recent meeting that 50% of the children at the Oasis Academy Isle of Sheppey have some sort of special educational need, mental health or behavioural issue. To help meet this need, and to meet it locally, I fully support the proposal by the Leigh Academy Trust to expand the Snowfields Special School by establishing a new satellite of Snowfields for 60 pupils on the Isle of Sheppey. Andy Booth advised I totally support and applaud this initiative. Sheppey has an acute need for this type of establishment, in order to help with the growing numbers of children requiring these outlets.

#### **4. Options considered and dismissed, and associated risk**

- 4.1 The proposal forms part of the 2 new school proposal by the DfE and the secretary of state for the Isle of Sheppey. Leigh Academy Trust and EKC Schools Trust are the preferred sponsors of the 2 new schools on the Isle of Sheppey and the satellite forms part of these proposals.
- 4.2 KCC did submit a bid to establish a special school for Profound, Severe and Complex Needs/ Communication and Learning/ Autistic Spectrum on the Island as part of its Safety Valve submission. This was one of three bids made, only two of which were successful (Swanley and Whitstable). KCC did not have a site to put forward for the special school on the Island and the bid was therefore not approved. The proposal for a satellite of Snowfields goes part of the way to meeting evidenced need on the Isle of Sheppey.
- 4.3 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 on the Isle of Sheppey for pupils with an EHCP for ASD and therefore pupils are travelling off the Island to access a specialist place for their education. The provision of additional places on the Isle of Sheppey will reduce the travelling distances and times for future cohorts of pupils on Sheppey and provide much needed additional SEND provision.

#### **5. Financial Implications**

- 5.1 Capital  
The project will ensure the satellite has its own dedicated accommodation of 5 classrooms and additional intervention spaces and dining facilities. The capital costs and total budget for the refurbishment will be £2,545,790.41.

The £2,545,790.41 will be funded through the High Needs Capital budget and would be subject to a Funding Agreement being put in place with the Academy Trust. The current total High Needs budget for 23-24 to 25-26 is £40.5m.

## 5.2 Revenue

As per KCC funding policy for schools (and agreed annually by the Schools Funding Forum), a total of £6,000 per newly provided learning space will be provided to the school from the growth budget. It has been agreed that a total of 9 learning spaces will be provided with a total of £54,000 for FFE.

The anticipated revenue budget, to be funded from the High Needs Block of the DSG for the 60 places at the satellite will be based on the ASD need type rate which is currently £20,065

The cost of 60 places on the ASD rate per year would be £1,203,900.

Revenue costs supporting the set up of the new satellite and the ongoing revenue budget will be funded from the ring-fenced Dedicated Schools Grant (DSG) provided to the Local Authority by the Department of Education. The Council is required to carry forward any over or underspend on this grant to be dealt with as part of any future years' spending plans. This grant has been significantly overspent for a number of years resulting in the Council entering in the DfE's Safety Valve programme for those Council's with the highest deficits to support the development of sustainable plan for recovery, in return for funding to contribute towards paying off the historic deficit.

The creation of additional state-funded special school places is part of the Council's strategy to avoid paying for more costly independent school places and so support the High Needs Dedicated Schools Grant Safety Valve recovery plan. The average cost of an independent special school place in the county is currently c£48,750 per annum. 60 places at the average independent rate would cost £2.9m per year. This would equate to an estimate cost of avoidance of up to £1.7m once full.

## 6. Legal implications

- 6.1 The expansion will be subject to a legally binding and enforceable contract being in place between KCC and the Trust. KCC will provide the HNPCA funding in return for the Trust completing the work needed to re-provision the existing building to enable the permanent expansion of Snowfields Academy, thereby increasing the Designated Number from 280 to 340 places from September 2024. There is a possibility that the establishment of the satellite may have to be delayed to September 2025 due to timing of commencement of the refurbishments related to when the new Trust would be able to access the site and commence works.
- 6.2 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."
- 6.3 In accordance with the Department for Education's Statutory Guidance, "making significant changes to an existing academy", the Trust will provide a full

business case to the DfE that will also include evidence of a consultation with the key stakeholders.

## **7. Equalities implications**

7.1 The Trust completed an Equality Impact Assessment (EqIA) for the proposal.

7.2 KCC has also completed an EQIA for the proposal the assessment identified the following positive impacts:

The aims and objectives of this proposal is to

- Ensure there are sufficient special school place available for children in Swale district.
- Ensure that there is sufficient local provision through satellites at mainstream school sites.
- Pupils with ASD will be able to attend satellite provision in mainstream secondary school.

No adverse impacts were identified during the assessment.

## **8. Data Protection Implications**

8.1 LAT and the school are the 'controllers' under the General Data Protection Regulation and will ensure that any personal information is processed fairly and lawfully within any consultation work completed as part of the fast-track business plan application.

## **9. Other corporate implications**

9.1 *None identified.*

## **10. Governance**

10.1 *Once a key decision is made, Kent County Council's Constitution (Section 10, Executive Scheme of Officer Delegation), provides a clear and appropriate link between this decision and the actions required to implement it.*

## **11. Conclusions**

11.1 This report sets out a proposal from LAT to expand Snowfields Academy from September 2024 (subject to DfE/Secretary of State approval and building works being completed for September 2024). The expansion would be facilitated through the establishment of a satellite on the current Oasis, Minster site and from part of LAT's proposal to open a new school on the Minster campus and EKC Schools Trust opening a new school on the Sheerness site. If established, the total capacity of Snowfields Academy will increase from 280 to 360 pupils. The proposal requires KCC to allocate £2,545,790.41 of HNPCA funding to fund the work to re-provision the existing building.

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### **Recommendation(s):**

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## 10. Background Documents

- 10.1 Kent commissioning plan  
[Commissioning Plan for Education Provision - Kent County Council](#)
- 10.2 Leigh Academy Trust Consultation pack  
[Expanding Snowfields Academy on the Isle of Sheppey Consultation Pack – Snowfields Academy](#)
- 10.3 Equality Impact Assessment attached
- 10.4 Framing Kent’s Future Our Councils Strategy 2022-2026  
[Framing Kent’s Future - Kent County Council](#)

## 11. Appendices

None

## 12. Contact details

Report Author: <i>Robert Veale</i> Job title: Assistant Director Education (East Kent) Telephone number: 03000 418575 Email address: <a href="mailto:Robert.veale@kent.gov.uk">Robert.veale@kent.gov.uk</a>	Director: <i>Christine McInnes</i> Job title: Director of Education and SEN Telephone number: 03000 418913 Email address: <a href="mailto:Christine.mcinnnes@kent.gov.uk">Christine.mcinnnes@kent.gov.uk</a>
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