

# KENT COUNTY COUNCIL –RECORD OF DECISION

DECISION TO BE TAKEN BY:

Roger Gough, Cabinet Member for Education and Health Reform

DECISION NO:

13/00092

For publication

**Subject: Proposal to transfer the Bower Grove secondary satellite provision and change the designated number of Bower Grove School**

Decision:

**As Cabinet Member for Education and Health Reform I agree to:**

- (i) Issue a public notice to transfer the Bower Grove secondary satellite provision and change the designated number of Bower Grove School to 183 (if the proposal to transfer the secondary satellite to St Augustine Academy is agreed) or 195 (if the transfer is not agreed).
- (ii) And, subject to no objections being received to the public notice, transfer Bower Grove secondary satellite provision and change the designated number of Bower Grove School, subject to the agreement of the Secretary of State for Education.

And, subject to no objections being received to the public notice

- (iii) transfer the Bower Grove secondary satellite and change the designated number of Bower Grove School
- (iv) AUTHORISE the Director of Property and Infrastructure Support in consultation with the Director of Law and Governance to enter into any necessary contracts/ agreements on behalf of the County Council
- (v) Should objections, not already considered by the Cabinet Member when taking this decision, be received during the notice period a separate decision will be required in order to continue the proposal.

Reason(s) for decision:

This proposal will help to secure our ambition, "to ensure every child can go to a good school where they make good progress and to support vulnerable pupils, including pupils with special educational needs and disabilities, so that they achieve well and make good progress".

The Special Educational Needs section of the Kent Commissioning Plan 2013-2018 relating to the future provision for children with special educational needs will be updated in line with the development of the Kent's Strategy for SEN and Disability. Kent's Strategy for SEN and Disability's overarching aim is to improve the health, well being, attainment and progress, and quality of provision, for children and young people with SEN. An important aspect of this is to review the future capacity of specialist SEN provision within special schools and within the mainstream sector.

Financial Implications

*Transfer of the Bower Grove secondary satellite provision from Bower Grove School to St Augustine Academy.*

- a. Capital: The existing satellite building will be leased to St Augustine Academy by KCC. The lease will be linked to the Service Level Agreement for the provision of a specialist resourced provision.
- b. Revenue: St Augustine Academy will receive £228,000 (notional budget) for operating a 12 place specialist resourced based provision for pupils with ASD, in line with the Service Level Agreement.
- c. Human: It is intended that staff who work in the satellite provision will transfer from Local

Authority employment to the Woodard Academies Trust. The terms and conditions of staff will be protected via TUPE (Transfer of Undertakings Protection of Employment regulations).

**Change in designated number of Bower Grove School**

- a. Capital: The change has no capital costs. The school already accommodates the number of pupils proposed.
- b. Revenue: There are no revenue implications. The school currently receives funding for pupils on roll. This funding comes from within existing budgets
- c. Human: The school is already staffed to support the proposed designated number.

In reaching this decision I have taken into account:

- the views expressed by those attending the public consultation meeting on 1 October 2013, and those put in writing in response to the consultation;
- the views of the District and Parish Councils, the local County Councillor; Governing Body of the school, the Staff and Pupils;
- the Equalities Impact Assessment and comments received regarding this; and
- the views of the Education Cabinet Committee which are set out below

Cabinet Committee recommendations and other consultation:

**27 September 2012**

The Cabinet Committee endorsed the Kent Commissioning Plan that identified the need to review the future capacity of specialist SEN provision within special schools and within the mainstream sector and recommended to the Cabinet Member for Education and Health Reform that a consultation commenced.

**4 December 2013**

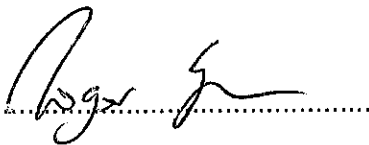
The Cabinet Committee considered the proposed decision and discussed the concerns raised. and resolved to recommend to the Cabinet Member for Education and Health Reform he agree to decision (13/00092) to

- (i) Issue a public notice to transfer the Bower Grove secondary satellite provision and change the designated number of Bower Grove School to 183 (if the proposal to transfer the secondary satellite to St Augustine Academy is agreed) or 195 (if the transfer is not agreed).
- (ii) And, subject to no objections being received to the public notice, transfer Bower Grove secondary satellite provision and change the designated number of Bower Grove School, subject to the agreement of the Secretary of State for Education.

Any alternatives considered:

The Commissioning Plan for Education Provision 2012-17 explored all options and the expansion of this school was deemed the suitable option.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:  
None

.....  


Signed

.....11/12/13.....

date