

**From: Patrick Leeson, Corporate Director for Education, Learning and Skills**

**To: Education Cabinet Committee – 27 September 2013**

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

**Classification: Unrestricted**

**Future Pathway of Paper:** Education Cabinet Committee – 4 December 2013

**Electoral Division:** Maidstone Central division

**Summary: This report outlines the proposed transfer of the Bower Grove secondary satellite provision from Bower Grove School to St Augustine Academy for September 2014 and to change the designated number of Bower Grove School.**

*Recommendation(s):*

**The Education Cabinet Committee is asked to note that the public consultation on the proposal to transfer the Bower Grove secondary satellite provision from Bower Grove School to St Augustine Academy and change the designated number of Bower Grove School, is currently underway.**

## **1. Introduction**

- 1.1 Bower Grove School is a special school designated for pupils with Behaviour and Learning Needs. It has two satellite provisions; one based in Westborough Primary School, the second based in St Augustine Academy. The pupils attending the satellite provisions are diagnosed with Autistic Spectrum Disorders (ASD) and are on roll at Bower Grove School.
- 1.2 St Augustine Academy and its sponsor, The Woodard Academies Trust, have inclusive philosophies. The Academy initially proposed that the Bower Grove satellite, which is on its site, should transfer to St Augustine Academy to become resourced SEN provision run by the Academy. The pupils, staff and building would transfer to St Augustine, with an ongoing relationship with Bower Grove School to support all children. The Governing Bodies of Bower Grove School, St Augustine Academy and the Woodard Academies Trust have all agreed the proposal in principle.
- 1.3 The intended date for transfer is September 2014. If the proposal is agreed it will reduce the current (and proposed) designated number of Bower Grove School by 12 places. From this date the Academy would be commissioned by the LA, via a Service Level Agreement, to provide a specialist resourced provision for 12 pupils with ASD.

- 1.4 Bower Grove School is currently designated to admit 146 children in both the main building and the satellite provisions. Since 2009 the school has had around 200 children on roll and the school's designated number needs to be changed formally to better reflect current admissions patterns and school capacity. Therefore we propose to change the designated number to 183 (if the proposal to transfer the secondary satellite to St Augustine Academy is agreed) or 195 (if the transfer is not agreed).

## **2. Financial Implications**

### **2.1 *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).

### **2.2 *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.

c. Human: The school is already staffed to support the proposed designated number.

## **3. Bold Steps for Kent and Policy Framework**

### **3.1 This proposal will help to:**

- secure our ambitions to “ensure our priorities and services meet the needs of all Kent residents” and that “schools will always be at the heart of the local communities irrespective of their legal status, who runs them or who funds them” as set out in ‘Bold Steps for Kent’, and
- “develop the broadest range of providers to increase parental choice and offer provision which offers a flexible match to the needs of our children and young people” as set out in our ‘SEN and Disability Strategy’.

### **3.2 The ‘Kent Commissioning Plan for Education Provision’ referred to the need to review the future capacity of specialist SEN provision within special schools and within the mainstream sector.**

## 4. Consultation

- 4.1 An early consultation has been undertaken with the families of pupils in the satellite provision.
- 4.2 A TUPE consultation will need to be undertaken with all affected staff.
- 4.3 Consultation is taking place with pupils, parents, staff and governors at Bower Grove School and St Augustine Academy, schools in the Maidstone district and other local Behaviour & Learning Schools, Members, LA Officers, neighbouring authorities and appropriate SEN support groups.
- 4.4 The outcome of the consultations will be reported to KCC, the Governing Bodies of Bower Grove School and St Augustine Academy and to Woodard Academies Trust. If the decision is made to continue with the proposal KCC will issue a statutory Public Notice regarding the changes at Bower Grove, following this the Cabinet Member for Education and Health Reform would conditionally determine the proposal. Woodard Academies Trust would make a business case to the Secretary of State of Education for agreement to incorporate the Specialist Recourse Based provision for pupils with ASD into St Augustine Academy. This business case would include details of the consultation and responses received.
- 4.5 **An Equality Impact Assessment has been completed and is available here:**  
[http://www.kent.gov.uk/education\\_and\\_learning/plans\\_and\\_consultations/school\\_consultations.aspx](http://www.kent.gov.uk/education_and_learning/plans_and_consultations/school_consultations.aspx)

## 5. Conclusions

- 5.1 Bower Grove's secondary satellite provision sits within the curtilage of St Augustine Academy. The Academy is happy and willing to take over the running of the satellite provision, indeed it was originally the idea of the Academy to do so. The Headteacher of Bower Grove and the Principal of St Augustine Academy have worked together to develop arrangements for future joint working and support for pupils with ASD. We are confident that this matter will proceed with little or no disruption to current pupils and their families.
- 5.2 The proposed change of designated number of Bower Grove School reflects both the number on roll at the school over the last five years and the likely demand for places going forward.

## 6. Recommendation(s)

<p><b>Recommendation(s):</b> The Education Cabinet Committee is asked to note that the public consultation on the proposal to transfer the Bower Grove secondary satellite provision from Bower Grove School to St Augustine Academy and change the designated number of Bower Grove School, is currently underway.</p>
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## 7. Background Documents

### 7.1 **Bold Steps for Kent and Policy Framework**

[http://www.kent.gov.uk/your\\_council/priorities\\_policies\\_and\\_plans/priorities\\_and\\_plans/bold\\_steps\\_for\\_kent.aspx](http://www.kent.gov.uk/your_council/priorities_policies_and_plans/priorities_and_plans/bold_steps_for_kent.aspx)

## **Kent Commissioning Plan for Education Provision 2012-2017**

[http://www.kent.gov.uk/education\\_and\\_learning/plans\\_and\\_consultations/education\\_plans.aspx](http://www.kent.gov.uk/education_and_learning/plans_and_consultations/education_plans.aspx)

### **Education Cabinet Committee report dated 21 June 2013: “2013 Review of the Commissioning Plan for Education Provision”**

<https://democracy.kent.gov.uk/documents/s40941/Item%20C3b%20-%20Review%20of%20the%20Kent%20Commissioning%20Plan%20for%20Education%202012-2017.pdf>

## **8. Contact details**

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