

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

To: Cabinet Member for Education, Health and Reform –  
30 July 2014

Subject: Proposal to expand Five Acre Wood School to increase the designated number of places offered at from 210 places to 275 places from October 2014.

Classification: Unrestricted  
Past Pathway of Paper: Education Cabinet Committee –  
27 September 2013; 4 December 2013; 14 March 2014

Future Pathway of Paper: Cabinet Member decision

Electoral Division: Maidstone South, Brian Clark; Maidstone East, Ian Chittenden

**Summary: This report sets out the results of the public consultation on the proposal to increase the designated number of places at Five Acre Wood School, Boughton Lane, Maidstone, Kent ME15 9QF from 210 to 260 places for September 2015.**

**Recommendation(s): Cabinet Member for Education and Health Reform is asked to consider and endorse the recommendation to:**

- (i) Update the facilities at Five Acre Wood School
- (ii) Allocate £12m of which £1.726 million from Targeted Basic Need budget and the remainder from the Basic Need and Special School Review budget.
- (iii) 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
- (iv) AUTHORISE the Director of Property and Infrastructure Support to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts
- (v) Issue a public notice to increase the designated number of places from 210 places to 275 places for October 2014; and create a Satellite provision at East Borough Primary School, Vinters Road, Maidstone ME14 5DX for 15 pupils with a Statement of Special Educational Needs for moderate to severe learning difficulties.

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

- (vi) Expand Five Acre Wood School,
- (vii) Create a Satellite Provision at East Borough Primary School, Vinters Road, Maidstone ME14 5DX for 15 pupils with a Statement of Special Educational Needs for moderate to severe learning difficulties

## 1. Introduction

- 1.1 Kent County Council's strategy for children and young people with special educational needs and who are disabled (SEND) identified the need to add 275 additional SEN places in Kent for pupils with Autism and Behavioural Needs. 175 of these places will be in special schools.
- 1.2 The numbers of children with profound, severe and complex needs (PSCN) is increasing which has resulted in pressure on places in Kent. This combined with the need to offer places that avoid long travelling distances for vulnerable young children, means that KCC requires Five Acre Wood to increase the number of places it offers from its current position - 217 pupils on roll, to a designated number of 275. The capacity constraints at Five Acre Wood School have restricted this school's ability to grow and admit all its local pupils.
- 1.3 The Government has recognised the demand in Maidstone and has allocated Targeted Basic Need funding for the purposes of expanding Five Acre Wood School, in order to increase the places offered by September 2015.
- 1.4 Five Acre Wood is a successful school, graded 'good' by Ofsted. The school provides for pupils with profound, multiple, and severe learning difficulties and autistic spectrum disorders. Approximately a third of pupils have autistic spectrum disorders as a primary need. In addition, many have a range of complex needs including sensory impairment, hearing impairment, physical impairment and delayed cognitive development.
- 1.5 On 27 September 2013 Education Cabinet Committee recommended to the Cabinet Member for Education and Health Reform that consultation processes take place for a number of schools, including the proposal to increase the designated number of places offered at Five Acre Wood School. Further updates were also provided to Education Cabinet Committee: 4 December 2013, increasing the capacity of SEN provision and re-designation of special schools across Kent on 14 March 2014.
- 1.6 The initial consultation commenced on 19 May 2014. However, during the consultation period an amendment was made arising from an exciting opportunity through a partnership between Five Acre Wood School and East Borough Primary School. The amendment included proposals to: (a) Increase the designated number of places offered at Five Acre Wood School from 210 places to 275 (previously consulted at 260) from October 2014 (previously September 2015); and (b) To establish a Satellite at East Borough Primary School for children with a statement of Special Educational Needs for moderate to severe learning difficulties. Therefore, the consultation period was extended until 23 July 2014.
- 1.7 This report sets out the results of the public consultation undertaken from 19 May 2014 – 23 July 2014.

## **2. Financial Implications**

- 2.1 It is proposed to enlarge Five Acre Wood School by 65 places increasing the designated number of places to 275 for the September 2015 intake.
- a. It is proposed that KCC funded improvements to the school will provide all necessary teaching rooms including specialist teaching spaces. Facilities within the school will be improved and designed to meet the needs of students. A feasibility study has been completed. The total cost is estimated to be in the region of £12 million of which £1.726 million will be funded from Targeted Basic Need and the remainder from the Basic Need and Special Schools Review Budget. The costs of the project are estimates and these may increase as the project is developed. If the cost of the project would be exceeded by more than 10%, the Cabinet Member will be required to take a further decision to allocate the additional funding.
  - b. There are no capital costs for the proposal to establish a Satellite provision at East Borough Primary School for 15 students with a statement of Special Educational Needs for moderate to severe learning difficulties. It is proposed that the provision would be provided through reconfiguration of the existing site.
  - c. Revenue - The schools delegated budget will be allocated on an agreed number of commissioned places in accordance with the High Needs funding methodology of Place Plus.
  - d. Human – Five Acre Wood School will appoint additional teachers, as the school size increases and the need arise.

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

- 3.1 These proposals will help to secure our ambition “to ensure every child will go to a good school where they make good progress and can have fair access to school places” as set out in ‘Bold Steps for Kent’.
- 3.2 The ‘Kent Commissioning Plan for Education Provision, 2013-18’ has identified the need to add 275 additional SEN places in Kent for pupils with Autism and Behavioural Needs. 175 of these places will be in special schools. This proposal forms part of a programme to deliver Kent County Council’s commitment to rebuild or refurbish all of our special school buildings.

## **4. Consultation Outcomes**

- 4.1 The initial consultation of Five Acre Wood School commenced on 19 May 2014. Approximately 500 hard copies of the public consultation document were circulated, which included a form for written responses. The consultation document was distributed to parents/carers, staff and governors of Five Acre Wood School, County Councillors, Member of Parliament, the Diocesan Authorities, local library, Maidstone Borough Council, and others, in accordance with the agreed County policy. The document was posted on the KCC website and the link to the website widely circulated. An

opportunity to send in written responses using the response form, email and online was provided.

- 4.2 For the consultation period 19 May to 24 June 2014 a total of 66 written responses were received with; 61 respondents supporting the proposal; 1 respondent objecting to the proposal; 4 respondents were undecided.
- 4.3 A summary of the written comments received for the period 19 May – 24 June 2014 is provided at Appendix 1.
- 4.4 An amendment was made to the initial consultation on 24 June following an exciting opportunity arising through a partnership between Five Acre Wood School and East Borough Primary School. The amendment included proposals to: (a) Increase the designated number of places offered at Five Acre Wood School from 210 places to 275 (previously consulted at 260) from October 2014 (previously September 2015); and (b) To establish a Satellite at East Borough Primary School for children with a statement of Special Educational Needs for moderate to severe learning difficulties.
- 4.5 The consultation period was extended until 23 July 2014 in order to seek stakeholder views on the proposed amendments. A further 1200 copies of the amended public consultation document was circulated, including a form for written responses. The amended public consultation document was distributed to parents/carers, staff and governors of Five Acre Wood School and East Borough Primary School, County Councillors, Member of Parliament, the Diocesan Authorities, local library, Maidstone Borough Council, and others, in accordance with the agreed County policy. The document was posted on the KCC website and the link to the website widely circulated. Stakeholders were advised that views previously expressed through the initial consultation would count towards the consultation process but further views were welcomed. Stakeholders were also advised to advise KCC if they wished previous comments to be disregarded. Opportunities to send written responses using the response form, email and online were provided.
- 4.6 Following the conclusion of the consultation period on 23 July a further 89 responses were received. 69 respondents were in support of the amended proposals, 7 respondents objected, 10 were undecided and 3 respondents only provided comments. No requests were received to disregard previous comments.
- 4.7 A summary of the written comments received for the period 24 June – 23 July 2014 is provided at Appendix 2.
- 4.8 In total 155 responses were received for the consultation period 19 May to 23 July 2014. 130 respondents were in favour, 8 respondents objected, 14 respondents were undecided and 3 respondents provided qualitative feedback only.

## **5. Views**

### **5.1 The views of the Local Members:**

As County Councillor for Maidstone South, I feel that Five Acre Wood School expansion from 210 student to 260 students will be of benefit to the additional pupils that will be admitted, and support expansion in principle. I do however have serious concern about additional traffic in a lane, considered by KCC Highways, to be "at capacity" (especially as there is significant further housing and a new school development proposed at this joint KCC Five Acre Wood School / Future Schools Trust Academy site). I would wish that this issue be given full consideration at the planning stage.

Furthermore I have some outstanding concerns relating to the likely capital receipt, to Future Schools Trust, for releasing the farm site from their lease agreement with KCC to allow such expansion. I feel that KCC has made some major concessions to the academy, including agreement to a land swap deal, facilitating the academy's plan for 220 new homes and a free school on county land. I find it difficult to believe that KCC could not have secured the Five Acre Wood expansion site in return for KCC's agreement to such a potentially lucrative proposal (NB I had unsuccessfully attempted to "call in" the land swap decision on this basis in December 2013).

The Local Member for Maidstone East has been consulted and is in support of the proposal.

### **5.2. The views of the Headteachers and Governing Bodies:**

The Headteacher and the Governing Bodies at Five Acre Wood School and East Borough Primary School have been consulted and are fully supportive of this proposal which will enable the school to use their knowledge and expertise to the full and accommodate local Maidstone children in a caring and nurturing environment.

### **5.3. The view of the Area Education Officer:**

The Area Education Officer for West Kent fully supports these proposals and, having considered other commissioning options, is of the belief that this enlargement is not only necessary, but the most sustainable solution. Furthermore, the proposal to create a Satellite provision at East Borough Primary School will also provide an excellent opportunity for children assessed as meeting the criteria, to benefit from mainstream activities such as assemblies. These proposals offer a flexible match to the needs of the children.

## **6. Proposal**

6.1 The proposed expansion of Five Acre Wood School will increase the value of KCC's property portfolio by adding value to the school buildings.

6.2 Under section 19 of the School Organisation Regulations 2013 it is necessary to consult on the proposals to: expand Five Acre Wood School, Boughton Lane, Maidstone ME15 9QF and establish a Satellite provision at East Borough Primary School, Vinters Road, Maidstone ME19 4AE.

- 6.3 The proposed expansion of Five Acre Wood School is also subject to KCC statutory decision making process and planning.
- 6.4 An Equality Impact Assessment has been completed as part of the consultation. The document was updated to reflect the amended consultation on 24 June 2014. However, no comments have been received to either version during the consultation process.

## 7. Delegation to Officers

- 7.1 The Officer Scheme of Delegation; under Appendix 2 part 4 of the Council's Constitution, provides a clear and appropriate link between this decision and the actions needed to implement it. For information it is envisaged, if the proposal goes ahead, that the Director of Property & Infrastructure Support will sign contracts on behalf of the County Council.

## 8. Conclusions

- 8.1 The proposals to enlarge Five Acre Wood and establish a Satellite provision at East Borough Primary School will add an additional 65 places to the capacity per year, in line with priorities 3, 4 and 9 of 'Bold Steps for Kent and Policy Framework' and the 'Commissioning Plan for Education – Kent' (2013 – 2018).

## 9. Recommendation(s)

**Recommendation(s): The Cabinet Member for Education Health and Reform is asked to consider and endorse the recommendations to:**

- (i) Update the facilities at Five Acre Wood School
- (viii) Allocate £12m of which £1.726 million from Targeted Basic Need budget and the remainder from the Basic Need and Special School Review budget.
- (ii) 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
- (iii) AUTHORISE the Director of Property and Infrastructure Support to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts
- (iv) Issue a public notice to increase the designated number of places from 210 places to 275 places for October 2014; and create a Satellite provision at East Borough Primary School, Vinters Road, Maidstone ME14 5DX for 15 pupils with a Statement of Special Educational Needs for moderate to severe learning difficulties.

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

- (v) Expand Five Acre Wood School,
- (vi) Create a Satellite Provision at East Borough Primary School, Vinters Road, Maidstone ME14 5DX for 15 pupils with a Statement of Special

## 10. Background Documents

### 10.1 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)

### 10.2 Kent Commissioning Plan for Education Provision 2013-2018

<https://democracy.kent.gov.uk/documents/s43253/ItemD3KentEducationCommissioningPlan20132018final.pdf>

### 10.3 Consultation Document and Equalities Impact Assessment

[www.kent.gov.uk/schoolconsultations](http://www.kent.gov.uk/schoolconsultations)

### 10.4 Strategy for Children & Young People with Special Educational Needs and Disabilities

<http://www.kent.gov.uk/about-the-council/strategies-and-policies/childrens-social-care-and-families-policies>

## 11. Contact details

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- Director of Education Planning and Access
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**The proposed expansion of Five Acre Wood School to increase the designated number from 210 to 260 places**

**Summary of written responses (19.05.14 to 23.06.14)**

Consultation documents (hard copies) distributed: 500

Responses received: 66

	Support	Against	Undecided	Total
Parents/Carers	27	1	3	31
Governors	1			1
Members of Staff	32		1	33
Other Interested Parties	1			1
<b>Total</b>	<b>61</b>	<b>1</b>	<b>4</b>	<b>66</b>

**In support of the proposal**

**Parents/Carers**

- The proposal is a great idea, it will help more children learn and make progress in their lives.
- FAW is an excellent school that needs refurbishing and to be able to offer more places is even better.
- Fantastic proposal. School is very positive, support from all areas is very good and communication is great.
- School hall is at capacity, will there be room to safely move and evacuate children if necessary, particularly those in wheelchairs?
- Aware of other families who could not send their children to FAW and have to travel a long way to alternative provision.
- Life is much easier having everything in one place (paediatrician, speech, therapy etc.) and no long waiting lists for appointments.
- The staff at FAW understand life with special needs children and always has the time for whatever the needs of the family.
- This proposal will mean that children have to spend less time travelling.
- In favour, only concern is disruption to children but assurances given in consultation document.
- In support however please consider traffic management system at the school.
- Good idea. Lots of special needs children need a special school to grow and thrive.
- Any additional support for Kent disabled children is always welcome.
- Best idea would be a complete new build however; proposal is good providing build is safe for children.
- Agree that FAW needs to be bigger now, even before bringing in additional children.
- We hope that the current children who attend will not be adversely affected by the proposed changes. Every effort should be made to explain to them



(repeatedly if need be) what is happening as changes can affect routine and sleep pattern of children.

### **In support of the proposal**

#### **Members of Staff**

- There is definitely a desperate need for specialist provision in the Maidstone area.
- Hope plans include dedicated Art, Science, DT rooms, communal and outdoor space.
- Much needed, this proposal will improve the quality of provision and have a positive impact on learning for all pupils at FAW.
- In post since 2000, the expansion is very much needed to continue the good standard of education currently experienced at FAW. We are all squeezed into a building which we have all outgrown.
- A whole new build would be more useful as current building is not fit for purpose.
- This proposal is good providing the build is safe for the children.
- The restructure and the changing of the day along with the new build will greatly increase of the quality of provision for our pupils.

### **Undecided**

#### **Parent**

- Although undecided, feels that FAW is a supportive school, have experienced positive impact under the teaching and management of FAW and would not want standards to slip.
- The current accommodation was never intended for 260 pupils. Previously, promised a new fit for purpose new build. Concerns where additional 50 pupils will fit.
- Performance levels of teaching staff may suffer with bigger class sizes.
- Major concern, car parking, already a huge problem with too many taxis and parents trying to park in a full car park. Aggressive taxi drivers, need two-way entrance/exit.
- Concerns about general space & safety within school, staff, therapy & nursing staff levels.
- Children with AEN and those on the autistic spectrum struggle to learn to play with each other. With funds available some thought should be given to how FAW and the LEA intend to keep 260 pupils amused at lunchtimes. The facilities at FAW are woefully inadequate in the playgrounds and playing fields.
- The school is attempting to raise funding to improve play facilities with huge and wonderful fund raising mission. Children need play area and equipment to entertain them because they do not have the social skills or confidence to play together.
- Require answers and solutions to clear accommodation/teaching ratios/car parking and play area provision before agreeing to the increase in the designated provision/expansion.

- With the increase in pupil numbers needs to be an increase in staff across all areas.

### **Against the proposal**

#### **Parent**

- Smaller units work better - money should be invested in creating more schools.

**Summary of written responses received from 24 June to 23 July 2014**

Consultation documents (hard copies) distributed: 1200

Responses received: 89

	Support	Against	Undecided	Neither	Total
Parents/Carers	48	5	10		63
Governors	3				3
Members of Staff	18	1			19
Other Interested Parties		1		3	4
<b>Total</b>	<b>69</b>	<b>7</b>	<b>10</b>	<b>3</b>	<b>89</b>

**In support of the proposal**

**Parents/Carers**

- Both schools and pupils will benefit and establish a better understanding of pupils with SEN.
- Every school should have this kind of facility.
- Exciting opportunity for both schools.
- Mainstream pupils with benefit from integrating.
- Pleased East Borough School are able to help.
- Excellent idea – this proposal will give FAW pupils the opportunity to be included in mainstream schooling.
- Opportunity of more places and inclusion in mainstream school is excellent!
- Expansion is a good idea. It is a great opportunity for FAW pupils to develop their social and communication skills but concerned
- In support but concerned about bullying, staff need to be alert to this kind of behaviour.
- FAW Staggered start times - if later will cause a problem.
- As a teacher working in another school with SEN provision attached to mainstream school, I have found that SEN practice often works well and mainstream children enjoy opportunities to work with 'unit' children and integrate really well. I hope this plan goes ahead, a shame my child won't be there to enjoy this new venture.

**Staff**

- Great opportunity for SEN pupils at both schools, provide inclusion links to join mainstream and activities.
- Great opportunity for EB pupils to learn about inclusivity and diversity.
- All parties will gain.
- This is a brilliant opportunity to work together! Children and adults alike.

**Objecting to the Proposal**

**Parents**

- What will the benefits to EB children? Where will the money be go, will EB see the benefits of this?
- Concerns about accommodation - the school often complains about lack of space but are now agreeing to give up room. Where will EB SEN pupils go? Music lessons? If they are move, this will have a knock on effect.

- Concerns about behaviour, EB already have pupils that are 'challenging' and disruptive to lessons/activities.
- East Borough parent concerned child now in Yr 5 – this move could have negative effect.
- Child's specific needs would not be met if attended satellite provision - needs to stay at FAW.
- More therapist as not much contact presently, 1 nurse not enough!
- Concerned that this proposal will take time and resource away from EB. This is a school that is rated as needing improvement and it is the wrong choice.
- The Ofsted report cites that EB does not look after the high achievers and focuses on others. Therefore, this proposal is just exacerbating the problem.
- EB is a kind and caring school and will welcome extra children with special needs but it is not the best option for EB pupils at this time until the school is rated good or above in all areas.

### **Other Interested Parties**

- Concern about traffic issues along Boughton Lane. The road is at capacity and at school time the queue of traffic can reach back from Loose Road traffic lights.
- The area doesn't have the infrastructure to take more and with planning application in for another 220 houses next door. Any additional capacity allowed will bring the area to even more of a standstill.

### **Undecided**

- Where will East Borough SEN pupils go for extra help if the satellite is using this space?
- Why East Borough, staffing levels, although not against integration of pupils decision feels rushed.
- If there are four teachers to 15 pupils, how will teachers' breaks work? Will there be extra staff qualified and recruited to aid midday meals supervisors? However, have no problem with these plans as integrating children is very good.
- Concern that current site is not adequate for increase in pupils and consequential increase in traffic. However, if this is dealt with and facilities are improved cannot see a problem with the proposal.
- If the satellite is found to be unsuitable can the pupil return to FAW, who decides which pupils attend the satellite, how would FAW pupil access the benefits if not sited there - would it mean extra travelling?
- Five Acre Wood - increase in traffic congestion and parking causing risk to car users and pedestrians.
- Awareness of dietary needs and impact on EB pupils.
- Undecided as have limited knowledge about how the children will be integrated in the school – will they have 1-1 TAs? However, fully appreciate and agree it would be beneficial for them to be integrated in a mainstream school. Main concern is how disruptive this will be on my child's education.
- If the staff to pupil ratio is maintained or increased and more facilities are made available then I have no specific objections to the proposal. The process of integration into a mainstream environment could be beneficial, a long term goal for individual child's development. Careful consideration should be given to selecting the right pupils; the wrong move could negate any positive effects.

**Comments only**

- Feel resources will be taken away from EB who are rated as needing improvement.
- This proposal exacerbates the comment by Ofsted that EB not looking after higher achievers. Not in schools best interest until rated good or above in all areas.
- Would be good if EB pupils learn more about SEN. Would FAW pupils be disruptive to other pupils?

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

DECISION TO BE TAKEN BY:

Roger Gough,  
Cabinet Member for Education and Health Reform

DECISION NO:

For publication

**Subject: Proposal to increase the designated number of places at Five Acre Wood School**

Decision:

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

- (i) Issue a public notice to increase the designated number of places offered at Five Acre Wood School, Boughton Lane, Maidstone, Kent ME15 9QF by 50 places from 210 places to 260 places for September 2015.

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

- (ii) Expand the school
- (iii) Allocate £1.726 million from Targeted Basic Need budget and £12 million from the Basic Need budget.

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 and expand the school to allow for proper consideration of the points raised.

Reason(s) for decision:

The Kent Commissioning Plan for Education Provision 2013-18 has identified a need for 275 additional Special Educational Needs places in Kent, 175 of which are required in Special Schools. The expansion of Five Acre Wood School, Boughton Lane, Maidstone, Kent ME15 9QF will help to address these pressures and adheres to the principles of our Commissioning Plan as it increases capacity at an outstanding, popular school. In reaching this decision I have taken into account:

- the views expressed by those 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.

Cabinet Committee recommendations and other consultation:

**14 October 2013**

The Committee endorsed the Kent Commissioning Plan, which identified a need for additional places and recommended to the Cabinet Member for Education and Health Reform that a consultation takes place on the proposal to expand and redesignate Five Acre Wood School, Boughton Lane, Maidstone, ME15 9QF

Any alternatives considered:

The Commissioning Plan for Education Provision 2013-18 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:

Signed

Date