



# Report to Cabinet Members for Schools and Children and Young People

Decision to be taken on or after **Thursday 5 June 2003**

Decision to be implemented 3 clear days after signature

Cabinet Member Report No. **S13/03**

**Title:** Future arrangements for the secondary education of pupils with moderate learning difficulties at Verney Avenue School, High Wycombe.

**Date:** 28 May 2003

**Author:** Paul Holmes: Acting Head of School Organisation.

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Rebecca Cooper: Telephone 01296 382192

**Electoral District Affected:** Cressex and Frogmoor: Councillor Lesley Clarke

**Relevant Overview and Scrutiny Committee:** Lifelong Learning

## Summary:

To confirm the outcome of the consultation on the proposal to close Verney Avenue School with effect from 31<sup>st</sup> December 2003 and to obtain agreement to publish statutory notices to close the school.

## Recommendation:

**That approval be given for Statutory Notices to be published stating that the LEA intend to close Verney Avenue School with effect from 31<sup>st</sup> December 2003.**

### A. Narrative setting out the reasons for the decision.

As a result of a previous Cabinet Member Decision Report, published on the 28 March 2003, a consultation took place with the staff, parents and members of public. The consultation covered two issues:

1. A proposal to close Verney Avenue School with effect from 31 December 2003.

2. A proposal that, after allowing for other needs, any surplus land identified after the closure of the school should be sold.

The consultation periods for the two issues were different. This paper is in respect of the proposed closure of the school, the consultation period for which ran until the 9 May 2003. The consultation on the possible sale of the land lasts until the 30th June 2003.

A total of 57 written responses were received by the 9 May of which 27 were related to the proposal to close the school: the balance of 30 were responding to the proposal with respect to the possible sale of any surplus land. A total of 13% of the consultees responded.

Overall the majority of those who replied, 16 (60%), were in favour of closing the school and 11 (40%) were against closure.

The proposal to close the school is in line with the County Council's strategy for Special Educational Needs, ensuring that special school provision offers the best possible match with the predicted needs.

This report seeks agreement to now publish statutory notices for the closure of Verney Avenue School with effect from 31<sup>st</sup> December 2003.

#### **B. Other options available, and their pros and cons.**

If Verney Avenue School did not close, consideration would have to be given to alternative measures for reducing the current surplus of funded places available in the county for pupils with moderate learning difficulties, whilst at the same time looking for ways to make the school viable.

The Verney Avenue School site does not lend itself to further development, and it is not considered suitable for adaptations to enable it to accommodate pupils with more complex needs. However some of the buildings and grounds could, in due course, be considered for use by Chiltern Gate School to support this school in meeting more diverse needs.

#### **C. Resource Implications.**

Verney Avenue School has the capacity to accommodate 95 pupils and currently has on roll 68. This is predicted to fall further to 50 by 2004. The authority is currently funding 90 places in total.

Should funding drop below this current level it would not be possible to adequately cover the curriculum to which these pupils are entitled. Maintaining the school is not considered an efficient use of resources.

In closing the school it is essential that appropriate provision be offered to all the existing pupils, whilst recognising that those who are 16+ may choose to leave the school system. A number of options are being considered, and the final placements will have costs attached.

These costs may be the cost of the pupil being placed in an alternative Special School, the support costs associated with a programme designed to support the pupil's inclusion into a mainstream setting, and could include additional transport costs.

In subsequent years the savings will increase to the full revenue budget of the school. In the meantime the associated costs of continuing the education of pupils elsewhere, and the costs related to temporarily maintaining the school, need to be met.

The Verney Avenue School's Budget Share for the 2003/2004 financial year is £577K. In the first year there will be revenue savings from the period of closure from 31 December 2003 to 31 March 2004, from which will be funded the one-off costs arising, which will be significant, but until procedures are clearer it is not possible to provide a definitive figure (eg staff costs relating to redundancy and pension strain). There will also be expenditure in respect of school transport and 'place' funding, payable to schools receiving pupils over and above funded planned places.

The first full financial year position, 2004/05, is estimated to be, at current prices:

	<b>£000s</b>
Revenue Budget Savings	580
<i>less costs :</i>	
Premises	(30)
Transport	(90)
Place funding	(140)
 Net Saving	 320

This is a full year position, based on the expectation that the majority of current Year 9 and Year 10 pupils will be placed at Furze Down School, and that the majority of current Year 7 and Year 8 pupils will be placed at Pebble Brook School. It is important to recognise that transport costs will reduce significantly as the older pupils leave school and new pupils of secondary transfer age are placed at their nearest appropriate school.

As a consequence of this closure there will, therefore, be savings on schools budget items, but additional costs for LEA budget items. Given the commitment of the County Council to spend up to the level of the Schools Formula Spending Share from April 2004 there may be a net budget pressure of some £87k in 2004/05, reducing steadily in subsequent years. ( £64k in 2005/06, £35k in 2006/07, £14k in 2007/08).

Part of the school playing fields will be passed to Chiltern Gate School who share a campus with Verney Avenue School, to enable its total playing field area to meet the current DfES requirements. It is also anticipated that some part of the school buildings will be made available to Chiltern Gate. The resulting increased facilities will have some modest additional, revenue budget implication for the school.

As outlined in the consultation document, any remaining land and buildings may be developed to facilitate additional provision, or alternatively provide a capital receipt, which may be available to support other aspects of the SEN strategy, subject to the usual County Council procedures.

**D. Legal Implications.**

Informal advice has been sought from the DfES. Following the outcome of the consultation exercise the responses have been carefully considered, and advice sought from the Head of Legal and Administrative Services. That advice was that a Cabinet Member decision paper be published seeking agreement to the publication of Statutory Notices. This report seeks to obtain the agreement of the Cabinet Members for Schools and Children and Young People that statutory notices relating to the closure proposals be published.

At all stages the procedures for Schools facing Major Organisational Change, published by Buckinghamshire County Council in December 2001 and adopted by the governing body have been followed.

**E. Other Implications/issues.**

In light of the consultation proposing to close the school, the authority has received requests from most parents with pupils currently at the school requesting that their children be placed with an alternative provider with effect from September 2003, the start of the next academic year. The authority has a process in place for considering such requests, and will respond sympathetically.

**F. Feedback from consultation and Local Member views.**

Set out below is the consultation process and an analysis of the responses received to the consultation.

All staff, parents and a number of local residents, including the local residents association, received copies of the consultation document. The Headteachers and Chairs of all BCC Special Schools were also sent a copy of the document as well as a number of relevant organisations, including the Buckinghamshire Primary Care Trusts and the Learning and Skills Council.

A meeting was held for teaching and support staff at which their association/union representatives were present. On the same day in the evening a further meeting was held, to which parents and members of the public were invited.

199 consultation documents were sent out and 27 replies were received to the consultation on the proposal to close the school. 13% of the consultees thus responded to the consultation.

16 (60%) supported the proposal to close the school  
11 (40%) did not support the proposal.

**Responses to consultation on proposal to close Verney Avenue School**

Total number of replies:	27
Those in favour of closure:	16
Those opposed to closure	11

Details of responses of those in favour of closure:

- 8 respondees did not make any comment
- 1 stated that it was unfair to make the staff and parents wait until December 2003 to close the school.
- 1 stated that the process should be completed as quickly as possible and should have started sooner.
- 1 stated that the school should close only if it was proven to be a burden on the council's finances and resources.
- 1 stated that the school should close only if the needs of pupils could continue to be met in the future
- 1 expressed concern over the disruption to Y10/Y11 pupils and stated that they should have been allocated new schools at the beginning of Y10 in September 2002
- 1 expressed concern over the distance pupils would have to travel
- 1 expressed concern over the organisation of the closure
- 1 expressed support for the school and for the support their child had been given and asked that more support staff for MLD pupils be recruited

Details of those not in favour of closure:

- 2 respondees did not make any comment.
- 1 reply stated that the school had given wonderful support to their child and that they didn't want the school to close.
- 1 stated that their son could walk to school and that having to travel and to change schools would cause a lot of problems, especially as the parent did not drive
- 1 reply expressed concern about whether their child would get as much support in another school
- 1 reply stated that they didn't want to be taken over by Chiltern Gate and that standards had dropped there over the last few years
- 1 commented on the support Verney Avenue had given their son and stated that the Council would come to regret closing the school, and stated that the travel arrangements to get her son to Furze Down needed to be effective
- 1 reply made the comment that the Local Authority was putting money before the children's needs and that separate meetings should have been held for residents and parents.
- A governor from Stony Dean School expressed concern about whether the school had the places available to take more children
- 1 parent expressed concern that some staff were leaving in July and that her son had done well at the school
- 1 reply commented on the fact that pupils would now have to travel to get to school and that creating large groups of pupils was not an effective means of education

## **G. Communication issues.**

Copies of the individual response forms are available from Andrew Tusting, Assistant Education Officer 382462.

Copies of the consultation document were sent to all parents, staff, and governors, of Verney Avenue School, Special School Headteachers and Chairs, local residents including the residents association, Wycombe District Council, the Learning Skills

Council, teaching associations, UNISON, Buckinghamshire Primary Care Trusts. Additionally copies were available from Verney Avenue and Chiltern Gate Schools. In total 199 copies of the consultation document were sent out.

### **Background Papers**

Report to Cabinet Members for Schools and Children and Young People dated 14 March 2003.

Consultation Document: Attached as Appendix 1

### ***Your questions and views***

*If you have any questions about the matters contained in this paper please get in touch with the Contact Officer whose telephone number is given at the head of the paper.*

*If you have any views on this paper that you would like the Cabinet Member to consider, or if you wish to object to the proposed decision, please inform the democratic Services Team by 5.00pm on Wednesday 4 June 2003. This can be done by telephone (to 01296 382610), Fax (to 01296 382538) or e-mail to [cabinet@buckscc.gov.uk](mailto:cabinet@buckscc.gov.uk).*



**BUCKINGHAMSHIRE COUNTY COUNCIL**

**CONSULTATION ON THE POSSIBLE CLOSURE**

**OF**

***VERNEY AVENUE SCHOOL***

**(A secondary school for pupils with moderate learning difficulties)**

**APRIL 2003**

**A CONSULTATION PAPER**

## 1. Introduction

Buckinghamshire County Council's School Organisation Team has produced this document as we wish to consult governors, parents, staff and the local community on the future of Verney Avenue School.

## 2. The Proposal

We are consulting on a proposal that the school will close with effect from the end of the 2003 Autumn Term (i.e. 31<sup>st</sup> December 2003).

The proposal forms part of the County Council's strategy for Special Educational Needs, which involves rationalising the current provision of Special Schools to meet predicted needs more appropriately.

The County Council has available to it a number of secondary schools where pupils with Moderate Learning Difficulties (MLD) can be placed. These include:

Pebble Brook School, Aylesbury.  
Furze Down School, Winslow.  
Alfriston School, Beaconsfield.  
Stony Dean School, Amersham.

The County Council will work with staff and parents to ensure that pupils at Verney Avenue School are placed in schools where their needs can be appropriately met.

## 3. Why is the proposal being made?

The County Council is committed to ensuring that appropriate education provision is made for all pupils, and especially for those with special educational needs. Pupils' individual needs are all different and the County Council continues to work towards ensuring a range of provision is available in both mainstream and special schools that facilitates identification of need, early intervention, and appropriate support. As the pattern of special educational need alters the County Council has to review its provision. It is within this overall context that the proposal is presented.

The need for MLD places in Secondary Special Schools in Buckinghamshire has reduced. This change is not unique to Buckinghamshire and is mirrored across the country. The number of statements for MLD that are issued has reduced over recent years, and increasingly parents look to place their children in local schools to better meet their child's needs.

Total number of statements for MLD maintained by the County Council:

2001	2002	2003
967	920	890

Increasingly, children whose needs are such that they cannot be appropriately supported in mainstream schools have multiple special needs and they require a range of support services that cannot be provided by a school such as Verney Avenue School.

The reduction in the number of pupils at Secondary MLD Special Schools countywide is demonstrated by the figures for this year below:



<b>Year 7</b>	<b>Year 8</b>	<b>Year 9</b>	<b>Year 10</b>	<b>Year 11</b>
77	77	79	79	90

At Verney Avenue School the reduction in the number of pupils is even more dramatic as shown by the table below:

<b>Year 7</b>	<b>Year 8</b>	<b>Year 9</b>	<b>Year 10</b>	<b>Year 11</b>
5	7	10	10	24

To enable the school to offer a balanced curriculum to pupils, the County Council needs to allocate the school funding equivalent to some 85-90 pupil places.

As the school's roll reduces, the funding that would have to be given to the school could more effectively fund provision at other Special Schools within Buckinghamshire.

In addition County Councils have a statutory duty to keep under review their arrangements for providing school places for Special Educational Needs pupils. The DfES have advised County Councils that it is important that education is provided as cost effectively as possible and that action is taken to remove surplus places.

#### **4. Why is the proposal being made now?**

As outlined in Point 3 of the consultation document, there are concerns over the financial viability of the school arising from the steady decline in the school's roll over the last few years.

The number of pupils on roll, including the 6<sup>th</sup> Form, is currently 67. The demand for 6<sup>th</sup> form provision is expected to reduce, as there are an increasing number of alternative providers for post 16 provision.

If the trend in the reduction in the school's roll continued then the number of children at the school will fall as shown below:

Actual numbers on roll

<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>
96	90	79	67

Projected numbers on roll

<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
50	40	30	25

By far the largest percentage of a school's budget comes from the number of pupils it has on its roll. If funding is reduced to reflect actual numbers on roll, the school will spend a higher proportion of its budget on fixed overhead costs and therefore have less ability to meet the curriculum needs of its pupils.

This financial constraint will mean that the school will find it increasingly difficult to retain and recruit staff and this will affect its ability to offer a full and balanced curriculum to all its pupils.

The proposal to close the school will mean that additional resources tied up in maintaining Verney Avenue School can be allocated to alternative special education providers.

**5. What are the advantages of the proposal?**

The major educational advantages to the principal groups affected are:

**Children**

The additional facilities, resources and provision that will be available to them in the schools that they transfer to would enhance their educational opportunities. They will be better equipped to meet the challenges of the “world of work”.

**Staff**

Staff have to continually update their skills and knowledge in order to keep abreast of developments in their field and to enable them to keep up to date with the latest DfES initiatives. Being part of a larger group will enable them to better pursue continuing professional development activities.

**Parents**

Parents can be reassured that if the closure goes ahead the needs of their child will continue to be met by the school in which he/she is placed. The additional resources and staffing available at the schools pupils transfer to will provide them with opportunities that will be denied them at Verney Avenue School.

**6. What are the challenges the proposal may create?**

The proposed closure will present challenges which we believe will be successfully overcome through careful and considered management and through good communication.

For example, the County Council and school staff are already working closely to ensure the appropriate placement of pupils and that the arrangements for transport are advantageous.

**7. Placement of pupils**

The County Council will ensure that pupils will be placed in the school most appropriate to their individual needs. Before pupils are placed in a school it will be possible for visits to be made to the school by both parents and pupils.

The County Council is aware that this is a potentially disruptive and worrying process and will work with all concerned parties to make the process as smooth as possible and to ensure that support is provided to vulnerable pupils.

**8. What would happen to the Verney Avenue Campus?**

If the decision were made to close the school then this presents an opportunity for the County Council to increase the size of the recreation area at the adjoining Chiltern Gate School which is currently below the minimum area recommended by the DfES.

It will also mean that some of the buildings currently used by Verney Avenue can transfer to Chiltern Gate. Discussions will take place with the staff and governing body of the school to decide on the best way to proceed.

Any surplus land could then be sold off, subject to the appropriate consultation with the planning authorities and planning permission being granted. A separate response

form, with a different response date is attached to this consultation document, as DfES requirements on the disposal of school land require a 10-week consultation period.

**9. When would the closure take place?**

The County Council is consulting on a proposal to close the school at the end of the 2003 Autumn Term (31<sup>st</sup> December 2003).

**10. Has the decision to close the school already been taken?**

No decision has yet been made to close the school and the County Council will await the results of the consultation before deciding what action to take.

**11. Travel Arrangements**

Where the County Council consider that the place offered to a pupil is the one that is most appropriate to meet their needs, then in line with current County Council policy transport will be provided.

If the decision is taken to close the school then a number of pupils will have to make journeys to the schools they are placed at and the County Council will take care to ensure that the arrangements are appropriate to ensure pupils well being.

**12. Staff consultation arrangements**

Meetings for the teaching and support staff have been arranged. There will be an opportunity for all staff to be supported by their association or union representative and the options available will be made clear. The County Council and Governing Body are committed to supporting the school's staff throughout the process.

**13. Those who are being consulted**

As part of the consultation the County Council is keen to consult as widely as possible on the proposals and the following groups/organisations will be contacted as part of the consultation process:

- County Councillor for Cressex and Frogmoor
- Governing bodies of those schools directly affected
- Learning Skills Council (they have responsibility for 6<sup>th</sup> Form provision within Buckinghamshire)
- Local residents
- Parents/Guardians
- Primary Care Trusts
- Social Care: Children and Families
- Social Care: Adult Services
- Staff at Verney Avenue School
- Teaching Associations and UNISON

**14. What will happen now?**

By publishing and distributing this consultation document we are asking you for your views on the proposal. Please fill in the *proformas* at the back of this document and send them to:

Either  
The collection box at Verney Avenue School

Or  
Paul Holmes  
Acting Head of School Organisation  
(Ref Verney Avenue School)  
County Hall  
AYLESBURY  
Bucks  
HP20 1UZ

**By 9th May 2003**

If you prefer not to complete the *proformas* then please write directly to Paul Holmes.

**A meeting for all staff will be held at Verney Avenue school at 3.45pm on 8th April 2003.**

**A meeting will then be held for parents and other interested parties at 7.00pm also at Verney Avenue school on the same evening, 8<sup>th</sup> April 2003.**

All views received will be listened to and recorded. The County Council will consider any responses received to the consultation. In the light of these responses the County Council will decide whether to proceed with the closure of the school.

**PROPOSAL TO CLOSE VERNEY AVENUE SCHOOL ON 31<sup>ST</sup> DECEMBER 2003**

**Response to Consultation**

1. Do you support the proposal of Buckinghamshire County Council to close Verney Avenue School?

Yes

No

2. Do you have any comments you wish to make on the proposal?

PLEASE RETURN THIS PROFORMA (OR A LETTER IF YOU PREFER) BY 9<sup>TH</sup> MAY TO:

**THE COLLECTION BOX AT VERNEY AVENUE SCHOOL**

**OR TO**

**Paul Holmes  
Acting Head of School Organisation  
(Ref Verney Avenue Consultation)  
County Hall  
AYLESBURY  
Bucks. HP20 1UZ**

**By 9<sup>th</sup> May 2003**

**PROPOSAL TO CLOSE VERNEY AVENUE SCHOOL ON 31<sup>ST</sup> DECEMBER 2003**

**Response to Consultation: Proposal to dispose of part of the Land at Verney Avenue School.**

1. If the decision is taken to close Verney Avenue School do you wish to comment on the proposal that after part of the playing field from the school has been allocated to Chiltern Gate School the remainder, subject to the appropriate planning processes, may be sold for development?

Yes

No

2. I wish to make the following comments:

**PLEASE RETURN THIS PROFORMA (OR A LETTER IF YOU PREFER) BY MONDAY 30<sup>TH</sup> JUNE 2003 TO:**

**Paul Holmes  
Acting Head of School Organisation  
(Ref Verney Avenue Consultation-School Land)  
County Hall  
AYLESBURY  
Bucks.  
HP20 1UZ**

## **Process to effect closure**

The County Council will have to publish Statutory Notices (similar to those you see when someone is applying for planning permission). By law these notices must remain public for two months. The notices are published by being placed in the Bucks Free Press newspaper. They would need to be published for a two-month period.

During this time any elector is entitled to object to the proposals by writing to the Strategic Manager, Children and Young People for the attention of Paul Holmes at the above address.

If there are no objections the County Council is then able to “determine the proposals”. This means that the County Council can decide to implement the proposal to close the school.

If objections are received the County Council will have to refer the matter to the independent School Organisation Committee. The School Organisation Committee, will consider the proposal in the light of any objections received and the outcomes of the consultation exercise, and will then have the power to decide whether or not to close the school.

If the School Organisation Committee were not able to agree on the proposal then the matter would be referred to the Adjudicator, a senior government appointee, who would then decide whether the proposal could go ahead.

**CABINET MEMBER REPORT NO. [number]**

**DECISION TAKEN:**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

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**DECISION NOT TAKEN:**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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