

**To** Scrutiny Co-ordination Committee

4 April 2012

**Subject** Determination of the Statutory Notice for the Proposal to Change Corley Centre from Day/Residential Community Special School to Day Community Special School at Cabinet meeting 13 March 2012

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**1 The decision which is the subject of the Call-in and the reason for Call-in**

1.1 On 13 March 2012, the Cabinet agreed the following resolutions:

1. Cabinet is asked to consider the proposal, the representations received and the recommendation from Cabinet Advisory Panel (School Organisation) and determine the Statutory Notice for the Proposal to Change Corley Centre from Day/Residential Community Special School to Day Community Special School
2. The Cabinet note the comments made by the Cabinet Advisory Panel (School Organisation).
3. That the Cabinet satisfy themselves that every parent/carer of a student at Corley Centre is made aware of, and given the opportunity to request, an assessment to determine the appropriateness of short break provision (in keeping with the rights of all Coventry parents/carers of a disabled child).

1.2 The decision has been called in by Councillors Foster, Blundell and Sawdon and the reason for the Call-in is:

To further explore how the Decision Makers' Guidance has been complied with, in arriving at this decision.

**2 Background to the decision**

- 2.1 At the Cabinet meeting of 13 March 2012 Cabinet approved the proposal to change Corley Centre Community Secondary Special School (Corley Centre) from a day and residential community secondary special school to a day community secondary special school and end the residential provision.
- 2.2 A public consultation period on the proposal to change the designation of the Corley Centre from a day and residential secondary special school to a day secondary special school ran for 7 weeks, from 3 October 2011 to 20 November 2011 inclusive, before the publication of the Statutory Notice. The results from this public consultation were set out in the 1 December 2011 report to the Cabinet Member (Education). The Cabinet Member (Education) approved publication of the Statutory Notice proposing that Corley Centre

changes from a Day/Residential Special School to a Day Special School with effect from 1 September 2012.

- 2.3 The Report to the Cabinet Member (Education) Report on the Outcome of the Consultation on the Proposal that Corley Centre changes from Day and Residential Special School to Day Special School was subject to call-in and considered by Scrutiny Co-ordination Committee on 20 December 2011. The Scrutiny Co-ordination Committee supported the Cabinet Member (Education)'s decision to publish the Statutory Notice for the proposal.
- 2.4 The Statutory Notice for this proposal was published on the 12 January 2012 and the representation period ran for 6 weeks from this date. The method of publication set out in The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 was followed.
- 2.5 A copy of the complete proposal and statutory notice were sent to the Department of Education (DfE) on the day of publication. This document gave details of the consultation prior to publication of the statutory notice. The local authority complied with current legislation and guidelines regarding consultation. The DfE acknowledged receipt and have made no comments.
- 2.6 Following the representation period the report to Cabinet, 13 March 2012, presented the views of those who had made representations and requested Cabinet to decide the proposal. A copy of the complete proposal and statutory notice were appended to the Cabinet report and available on the Coventry City Council website by following the "Have Your Say" link. Cabinet and Cabinet Advisory Panel (School Organisation) received copies of the Cabinet report five working days before their respective meetings so that their contents could be considered. Also the Cabinet report was made available on the City Council website five working days before the first of the meetings. This adheres to Coventry City Council Committee procedures.
- 2.7 The Cabinet Advisory Panel (School Organisation) considered the proposal and the representations received on 12 March 2012 and made a recommendation to Cabinet on how the Statutory Notice should be determined. Cabinet Advisory Panel (School Organisation) agreed the proposal, with some recommendations. The recommendation from the Cabinet Advisory Panel (School Organisation) meeting was submitted to the Cabinet meeting on 13 March 2012.
- 2.8 None of the students at Corley Centre have a Statement of Special Educational Needs indicating a requirement for residential education. None are foreseen because the needs of the students attending the school have changed. The funding for Corley Centre's residential educational provision is based on 27 places and this amounted to approximately £384,000 in 2010/11. The actual use of the budget is no longer in line with its original purpose as it is now used to provide social and independence training through a combination of extended day provision as well as some overnight stays.
- 2.9 Changing the designation of the Corley Centre from day and residential to day secondary special school would release sufficient funding to support the implementation of the SEN and Inclusion Strategy to the benefit of children and young people with special educational needs and Disability across the City.

### **3 Material facts relating to the specific reasons for this Call-in**

- 3.1 The reason for the Call-in is to further explore how the Decision Makers' Guidance has been complied with, in arriving at this decision.
- 3.2 The Decision Makers' Guidance, provided in the appendices of the Cabinet report and available on the DfE website, has been considered throughout the process.
- 3.3 The Local Authority must have regard to the Decision Makers' Guidance when they take a decision on proposals.
- 3.4 The Guidance states that:  
"The following factors should not be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals should be considered on their individual merits."

Not all of the factors are relevant to the Corley Centre proposal. Relevant factors were considered throughout the consultation process.

- 3.5 In addition to the Report to Cabinet of 13 March 2012, which included the statutory notice, the complete proposal, the comments/objections received from 18 parties during the 6 week representation period, the Decision Makers' Guidance and the application of the SEN Improvement Test, Cabinet Members were provided with a copy of the Equality Impact Assessment and a briefing note from the Cabinet Advisory Panel (School Organisation) to support their decision making.

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