

Cabinet

29 April 2021

Outcome from consultation on provision in Shaftesbury

For Decision

Portfolio Holder: Cllr A Parry, Children, Education, Skills and Early Help

Local Councillor(s): All

Executive Director: T Leavy, Executive Director of People - Children

Report Author: Theresa Leavy

Title: Executive Director of People - Children

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Report Status: Public

Recommendations:

1. To consider the Consultation Report following the public consultation on the future use of the former St Mary's School site and provide approval to proceed with the Council's preferred option for the use of the site.
2. To approve the Business Plan to use the site as an independent special school for children and young people of Dorset and the longer-term vision.
3. To approve the formation of a company limited by shares and the entry into such ancillary legal documentation as may be necessary in line with the proposed scope contained in the Business Plan.
4. To approve the granting of indemnities for personal liability incurred by Council Officers acting in the role of directors of the company.
5. To approve the grant of a lease of the site to the company on terms to be approved by the Executive Director for Place (John Sellgren) after consultation with the Executive Director for People – Children's (Theresa

Leavy) and service agreements between the Council and the company to deliver the Business Plan on terms to be approved by the Executive Director for People - Children's.

6. To delegate authority to deliver the Dorset Council actions within the Business Plan to the Cabinet Portfolio Holder for Children, Education, Skills and Early Help (Councillor Andrew Parry) after consultation with the Executive Director for People – Children's.

Reason for Recommendation 1:

The consultation on the future use of the former St Mary's School site received 1,427 responses from a wide variety of individuals and organisations. Nearly 90% of responses came from Dorset Council residents, including 32% of responses which came from local residents (within 3 miles of the site).

There was overwhelming support for the St Marys site to continue to be used for educational purposes, with 92% overall in favour. In addition, there was very strong support for specifically using St Marys as a school for children and young people with Special Educational Needs and Disabilities (SEND) with 89% overall in favour alongside 82% of respondents that signalled strong support for the additional use of the St Mary's site to create complementary facilities for vulnerable children, young people and adults.

This demonstrates strong support to deliver the Council's preferred option to create a new independent school for children and young people of Dorset with SEND.

Reason for Recommendations 2, 3, 4, 5 and 6

In order to deliver the Council's preferred option, a detailed 5-year Business Plan has been completed setting out the next steps the Council will need to take to establish a Company to operate the new independent special school alongside the longer-term vision for the site and arrangements for the land to be used by the Company. The Business Plan sets out that a Company that will be set up for the purposes of operating the site and school, and this will be through the formation of Company Limited by Shares (which may be established as a standard or Community Interest Company). Approval of this recommendation will allow the named Members and Officers with delegated authority to deliver the Business Plan to achieve the challenging timescales for delivery. Further leadership and governance will be provided by the St Mary's Project Board Chaired by the Chief Executive (Matt Prosser) and Vice Chaired by the Executive Director of Corporate Development (Aidan Dunn).

1. Executive Summary

- 1.1. Dorset Council is ambitious for all its children and young people with SEND and increased vulnerabilities and is committed to providing a great education and supporting strong life outcomes. The Dorset Council Plan 2020-2024 sets out that the Council will provide more specialist education for children with complex communication and learning needs. The published Children and Young People Plan 2020-2023 develops the strategy further within its key priority area: Best Education for All. This priority area is supported by the Special Educational Needs and Disabilities Capital Strategy 2020-25.
- 1.2. As part of delivering these strategic priorities, in January 2021 Dorset Council purchased the former St Mary's School site for £10.05 million, (excluding taxes and fees). This Report sets out the outcome of the consultation exercise which took place to determine the future use of the site and the Business Plan for this proposal to achieve Best Value in the delivery of SEND services for Dorset.
- 1.3. The business case for the purchase of the site, which included financial modelling, demonstrated that SEND education placements at the St Mary's School site could be provided much more cost effectively than the high cost placements currently being funded in many privately operated independent settings.
- 1.4. This report represents value for money and help to obtain best value through the efficient use of financial resources, reducing the Council's reliance on privately operated independent special schools, which incurs £14m of expenditure (based on forecasts for the 2020/21 financial year) at an average of approximately £60,000 per pupil and will reduce the demands on Dorset's existing excellent special schools.

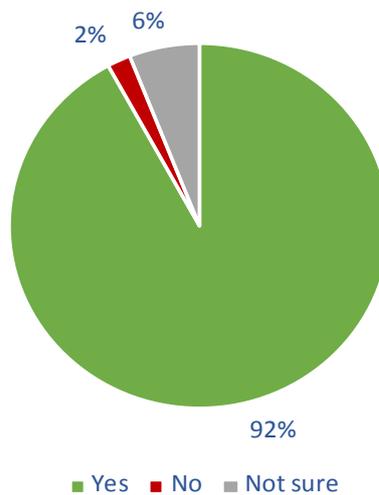
2. Outcome of consultation

- 2.1. Dorset Council sought views through a public consultation on its preferred option to create a new school for children with Special Educational Needs and Disabilities (SEND) on the former St Mary's School site near Shaftesbury, against other alternative options for the site.
- 2.2. The Council also sought views of the public and community including representatives of council tax and business rates payers, representatives of current and potential service users, and representatives of persons with an interest in SEND services in Dorset on other potential uses and its longer-term vision for the site.
- 2.3. The consultation period operated from Thursday 4 February 2021 to midnight Thursday 18 March 2021
- 2.4. The consultation involved an online and paper consultation survey which in total received 1,427 responses from a wide variety of individuals and organisations. Nearly 90% of responses came from

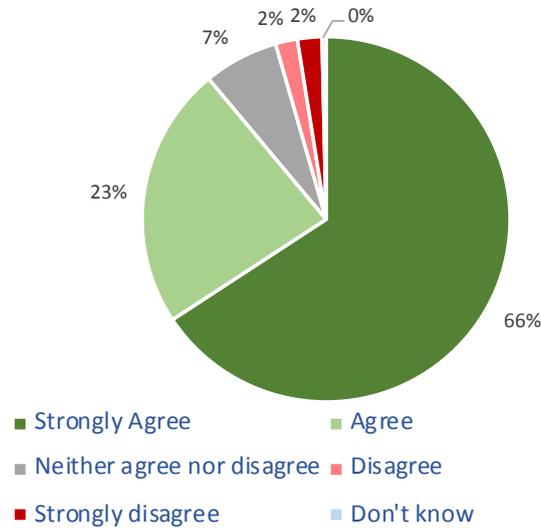
Dorset Council residents, including 32% of responses which came from local residents (within 3 miles of the site). There were also a number of additional engagements with key stakeholders.

- 2.5. A detailed report on the Consultation Response is appended to this Report in Appendix 1a.
- 2.6. There is overwhelming support for the St Mary's site to continue to be used for educational purposes, with 92% overall in favour. In addition, there was very strong support for specifically using St Mary's as a school for children and young people with Special Educational Needs and Disabilities (SEND) with 89% overall in favour alongside 82% of respondents that signalled strong support for the additional use of the St Mary's site to create complementary facilities for vulnerable children, young people and adults.

Would you like to see the St Mary's School site to continue to be used for educational purposes?



Do you support the proposals to open a school for children with Special Educational Needs and Disabilities at St Mary's School, Shaftesbury?



- 2.7. The response size is good for a Dorset Council consultation of this type. There was an uneven balance between males and females with 74% of responses from females and 23% from males. Responses came from a wide range of ages but only 15% came from respondents aged 65 or older. This compares to only 29% being in this age band in the wider Dorset population. With 88% of the respondents saying their ethnic group was White British this is fairly typical of the wider population. Responses from disabled people were above average at 6.5% of responses compared to a Dorset figure of 5% based on those claiming either Disability Living Allowance, Personal Independence Payments or Attendance Allowance. Responses came from 48% who said they were Christian with the second largest group at 36% with no religion.
- 2.8. 23% of all respondents identified themselves as a parent of a child with special educational needs and disabilities (SEND) or a parent or carer of a person who is disabled over 16 years.
- 2.9. Many local residents and persons with an interest in the former school, such as alumni, former staff and local residents, took the time to respond comprehensively to the consultation, to share their experience and stories of the legacy of the former school and its place in the community.
- 2.10. Postcodes were supplied by 1,427 respondents with the majority of those living in the Dorset Council area. The map shows the distribution of responses to the consultation demonstrating a good

spread across the geographical area. Promotion of the consultation appears to have been successful across all areas.



- 2.11. A response was received from Wiltshire Council, which stated “As a neighbouring authority we welcome Dorset’s proposal to continue to use the St Mary’s School Site for educational purposes, and in particular to meet the needs of SEND for the county. Whilst we do not anticipate that large numbers of our own learners will take up places at the setting we would want to work with you in considering strategic place planning opportunities.”
- 2.12. 13 Dorset Councillors/town/parish councillors responded on their own behalf to the consultation. 10 businesses provided an official response from their business. Other responses came from people who worked in businesses but were not providing their official response.
- 2.13. Official organisational responses came from 14 organisations. There were also 21 individuals who responded as they were part of organisations, but their response wasn’t the organisation’s official response.
- 2.14. During the consultation period a Steering Group with ten Dorset Council Councillor representatives met every three weeks to review the development of plans for the use of the St. Mary’s School Shaftsbury site. The Council also engaged with SEND Families through a virtual briefing with the support of the Dorset Parent Carer Council, who supported the Council in ensuring all communications with the education community were inclusive and accessible. The Council also met with the leaders of Dorset Special Schools (SSHAD), Dorset Post-16 and Further Education Providers and The

Mulberry Bush Charity who bring experience in therapeutic care, education and training through their Outreach programme.

- 2.15. In summary, the consultation demonstrated good engagement from the public and overwhelming support to deliver the Council's preferred option to create a new school for children and young people of Dorset with SEND.

3. St Mary's Business Plan

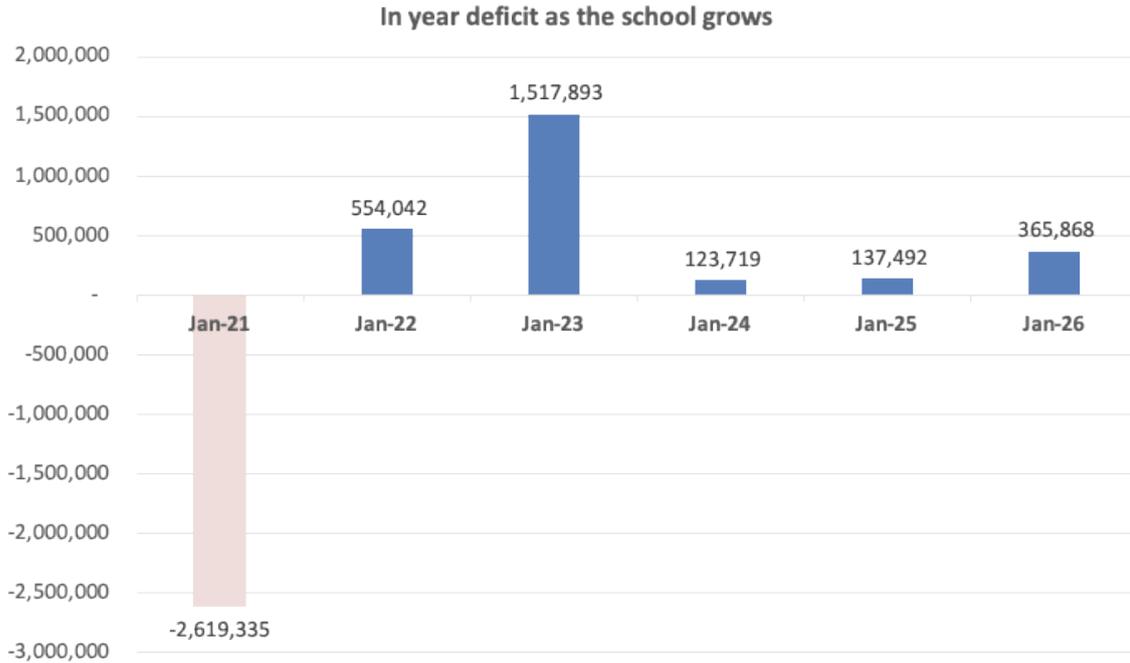
- 3.1. The development of the Business Plan has been a cross Council project under the leadership of the St Mary's Project Board, with support and expertise from Officers in Place, Corporate Development, HR & Organisational Development, Legal, Children's and Adult's Services.
- 3.2. The Council's preferred option for the St Mary's site is to create an independent special school for approximately 280 children and young people, aged from 4-19 years.
- 3.3. The engagement with the public through the consultation emphasised the overwhelming support for the St Mary's site to continue to be used for educational purposes, in particular to support children and young people with SEND and with some emphasis on Post-16 provision. Through the consultation, people explained that it is already designed for education purposes. Furthermore, there is considerable support for the St Mary's site to create a centre with complementary facilities for vulnerable children, young people and adults, alongside delivering a wider community benefit. Respondents also represented the important role to ensure vulnerable people are properly safeguarded on the site in their comments.
- 3.4. A 5-year Business Plan has been completed setting out the next steps the Council will need to take to establish a company that it will own to operate the new school and deliver the longer-term vision for the site.
- 3.5. The St Mary's Business Plan is appended to this Report in Appendix 2 and includes a 5-year financial forecast.
- 3.6. Authority to deliver Dorset Council's activities within the Business Plan is proposed to be delegated to the Cabinet Portfolio Holder for Children, Education, Skills and Early Help (Councillor Andrew Parry) and the Executive Director for People – Children's (Theresa Leavy).
- 3.7. Providing delegated authority to deliver the St Mary's Business Plan will support the Council in achieving the challenging timescales for delivery to establish the operating vehicle for the site and school and ensure the operation of an independent special school at St Mary's is a success both in creating high quality provision for the children and

young people of Dorset and delivering in line with the Council's published strategies.

- 3.8. Leadership and governance will continue to be provided by the St Mary's Project Board Chaired by the Dorset Council Chief Executive (Matt Prosser) and Vice Chaired by the Dorset Council Executive Director of Corporate Development (Aidan Dunn).

4. Financial implications

- 4.1. The financial implications of the proposal are set out in the St Mary's Business Plan in Appendix 2. The key financial points to note are:
- 4.1.1. The costs of setting up the company and school will be funded from a Dorset Council reserve which will be earmarked specifically for this purpose.
 - 4.1.2. The school is anticipated to receive its first students from January 2022. In its first year of operation, the Business Plan projects an income shortfall of £2.6m, this will be supported by Dorset Council funds in the short term.
 - 4.1.3. During year 2, the Business Plan projects the number of students at the school will grow significantly, increasing income levels. The school is anticipated to make an in-year surplus, which will be used to start to pay back the income shortfall from year 1.
 - 4.1.4. The school will achieve a positive in-year balance by the end of year 2. By year 5, the school will be fully operational with the income shortfall from year one fully paid back.



5. Climate implications

- 5.1. The buildings date from the early 20th century to the 21st century, however despite appearances, it is not a historic building. There are a considerable number of modern classroom buildings which are more energy efficient. An environmental strategy for the site will be produced through the next phase of the project to identify ways in which the site can be operated in both an economically efficient and carbon efficient way.
- 5.2. A benefit of increasing provision for Dorset children will also be to reduce the distances children and young people travel both within and out of county to receive similar provision elsewhere.

6. Risk assessment

- 6.1. A risk assessment of this paper is set out in the St Mary's Business Plan in Appendix 2.

7. Equalities Impact Assessment (EqIA)

- 7.1. An EqIA has been completed for this project and is appended to this Report in Appendix 3.

8. Appendices

- Appendix 1a – St Mary's School, Shaftesbury Consultation Response Report

- Appendix 1b – St Mary’s School, Shaftesbury Consultation Response Report Appendix (all comments)
- Appendix 2 – Business Plan - St Mary's Centre of Excellence
- Appendix 3 – St Mary’s EqIA

9. Background papers

- Not used

Footnote

This paragraph indicates that the report author has considered the areas of finance, economic and equalities and human rights implications as part of writing the report.