

Committee/Meeting: Cabinet	Date: 7 April 2010	Classification: Unrestricted	Report No: CAB 139/090
Report of: Acting Corporate Director, Children, Schools & Families Originating officer(s) Pat Watson, Head of Building Development		Title: Phoenix School – Proposed Addition of a Sixth Form Wards Affected: Bow West	

Lead Member	Lead Member for Children, Schools & Families
Community Plan Theme	A Prosperous Community
Strategic Priority	Priority 3.1: Support lifelong learning opportunities for all

1. SUMMARY

- 1.1 This report explains the background to the proposals and informs Cabinet of the consultation that has taken place to date. The report recommends that statutory proposals are now published.

2. DECISIONS REQUIRED

Cabinet is recommended to:-

- 2.1 Note the contents of this report;
- 2.2 Agree that statutory proposals should be published for the addition of a sixth form at Phoenix School with effect from September 2010.

3. REASONS FOR THE DECISIONS

- 3.1 Proposals have been developed to provide 6th form places at Phoenix School to support the appropriate range of provision for students with special education needs. Initial consultation on the proposals has been held. Cabinet is asked to consider the proposal, the response to the initial consultation and the recommendation that statutory proposals for the expansion should be published. The publication of statutory proposals is required in order to implement this change to the school.

4. ALTERNATIVE OPTIONS

- 4.1 No action. If no sixth form is added, then there is a risk that the Council will fail to discharge its statutory functions in respect of a group of young people with limited choices.
- 4.2 Alternative provision. Phoenix is positioned to carry out specialised educational provision. It is not considered that there is a suitable alternative means of provision readily available to the Council.

5. BACKGROUND

- 5.1 Phoenix School is in Bow Road, E3. It has 103 students on roll from 3 – 16. It is a special school for students with ASD (autistic spectrum disorders).
- 5.2 The LA has recognised the need for additional places post-16 for students with special education needs, including ASD. Not all students' needs can be met at mainstream provision and so it has been proposed that additional places can be provided at Phoenix School.
- 5.3 Preliminary consultation has taken place on the proposal to add a sixth form. The feedback from this consultation supported the proposals. This report gives details of the consultation and the action that is now required to publish proposals formally.

6. BODY OF REPORT

Decision-making on proposals to alter a school, including adding a sixth form

- 6.1 There is a statutory framework for implementing certain alterations to schools, including addition of a sixth form, as in this case. The requirements are included in the Education & Inspections Act 2006 with associated regulations. For community special schools, the Local Authority (LA) can propose certain alterations, including addition of a sixth form.
- 6.2 The prescribed process requires a two stage consultation process. The initial, pre-statutory consultation should provide information on the proposals and include a wide range of consultees. The outcome of this stage is then considered and, if the LA agrees, statutory proposals are published for a specified period (usually four weeks). After this period, the LA must consider any responses to the second consultation and decide whether or not to implement the proposals, or modify them in the light of the consultation.
- 6.3 There is a right of appeal to the Schools Adjudicator for certain parties against the LA's decision.

- 6.4 The timetable for the process is shown in paragraph 6.22, taking into account the legal requirements of the consultation and decision-making process.

The Need for Additional Sixth Form Places for Students with SEN

- 6.5 Over the last two years Phoenix has completed its transition from a school providing education for MLD pupils to an establishment catering for the needs of pupils on the Autistic Spectrum. The result of this process has seen a significant change in teaching methods, resources and curriculum content. Ofsted reports and National Autistic Society accreditation testify to the fact that during this process of transition the standard of education provided by Phoenix has continued to be of the high quality. The school has also been awarded Specialist Schools Status.
- 6.6 The school is now ready to move towards the next step of providing quality sixth form provision for a group of pupils whose difficulties in communication, social awareness and emotional intelligence limit the choice of post 16 educational provision. The national and local growth in the numbers of young people with ASD, and the commitment to provide full participation and preparation for adult independence, mean that post 16 opportunities for this group are in need of development.
- 6.7 The school now has 103 places from 3 – 16 years. Under the new proposals, there will be up to 9 places in each year for years 12-14. The total school roll over time will eventually be 130. There will be no change to the admissions arrangements to the school.

Implications for the School

- 6.8 It is expected that most of the school population will be composed of the low and Middle (P levels 1-8, NC levels 1-3) end of the Autistic Spectrum with a few of the more able Aspergers group. As a consequence, educational efforts will be focused primarily on the development of life-skills and the acquisition of vocational knowledge. The aim is to equip the students with the skills to lead lives in which they can make choices and decisions about their own futures and to grow as independent adults.
- 6.9 Students in Year 11 will continue to progress to other opportunities where these appropriate. Those that remain in the school's sixth form will spend on average 2 days per week in partnership/vocational activities. The school will work in close partnership with Central Foundation Girls' School, Tower Hamlets College and other 14-19 Hub partners to deliver a work-related curriculum focused particularly on land-based and hospitality skills. The foundation learning curriculum

will support learners towards adult independence and will primarily be accredited through ASDAN.

Financial Implications

- 6.10 Capital funding to provide permanent accommodation for this alteration will be part of the BSF (Building Schools for the Future) programme. This is anticipated to be implemented in academic year 2012/2013, depending on progress with the development programme. In the interim, some temporary accommodation has been provided in anticipation of the BSF scheme.
- 6.11 Additional revenue funding will be provided to the school through the Dedicated Schools Grant and the LA's funding formula.

Implementation of the Alteration

- 6.12 It is proposed that the increase should take effect from the school year 2010/11, subject to the approval of the statutory proposals.
- 6.13 It is likely that pupils already on roll of Phoenix School will continue into the sixth form for post-16 education.

Consultation

- 6.14 The initial consultation period was from 4 January to 15 February. A copy of the consultation paper issued is included as Appendix A. The consultation paper was sent to:
- all parents and carers of children now at Phoenix School
 - all staff at Phoenix School
 - all governors of Phoenix School
 - all headteachers and chairs of governors of primary schools in Tower Hamlets
 - all councillors in Tower Hamlets
 - local MPs
 - the London Boroughs of Newham, Islington and Hackney
 - local trades unions
- 6.15 All secondary Headteachers and wider 14-19 stakeholders have previously been consulted through the Hub 14-19 Partnership Board which received and approved a proposal to develop a Phoenix sixth form on May 9 2007.
- 6.16 Consultation meetings were held to discuss the proposals with parents.

- 6.17 The overall response to the proposed expansion of the school was positive. The consultation paper included a form to return and the analysis of those returned is as follows:

Received from	For	Against	Not sure
Parents	41	0	0
Staff	28	0	0
Others	19	0	0

- 6.18 Two well-attended parents' meetings were held at the school. The response from parents who attended these meetings was positive. The most significant outcomes reported from these meetings were

- There are currently insufficient post 16 opportunities for those leaving Phoenix in Year 11
- .Work-related learning opportunities need to be developed
- Parents and governors would like to see more local supported employment opportunities and the new post 16 provision should prepare young people for such opportunities

The consultation that has been conducted complies with the requirements of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 and the Secretary of State's guidance on consultation.

Further Action Now Proposed

- 6.19 The outcome of the consultation has been reviewed and it is clear that there is support for the proposal amongst the school and parent community.
- 6.20 Cabinet is recommended to agree to publication of statutory proposals for the addition of a sixth form to Phoenix School. The statutory proposals will be published in East End Life and made available at the school. Any comments or representations on the proposals should be submitted to the Council by the end of the four week period.
- 6.21 As referred to above, after the statutory representation period, there will be a further report to Cabinet. This will include details of any comments made during the representation period. Cabinet will be asked to take account of these and the detail of the report in reaching a decision on whether to proceed to implement the proposals. An appeal against the decision can be made to the Schools Adjudicator by the Roman Catholic or Church of England Diocese, or the governing body of the school concerned. If the Council is unable to reach a decision on the proposals within two months of the end of the representation period, they have to be referred to the Schools Adjudicator.

6.22 The timetable for the process is set out below:

Initial consultation	1 February – 5 March 2010
Cabinet receives a report on the consultation and decides on publishing formal statutory proposals	7 April 2010
Statutory proposals published with 4 weeks allowed for comments	17 May – 11 June 2010
Cabinet meets to consider any comments from the 4 week period and, in the light of these, to decide on implementing the proposals as published or with any modification	July 2010
Additional pupils admitted to sixth form	September 2010

7. COMMENTS OF THE CHIEF FINANCIAL OFFICER

Capital funding

7.1 As indicated above, provision has been made from within the BSF programme for alterations to the building.

Revenue funding

7.2 The school's revenue budgets will be increased to reflect the increased size of the building and the rise in pupil numbers. This funding is within the Dedicated Schools Grant which reflects increases in the total roll in the Borough.

8. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)

8.1 Section 19 of the Education and Inspections Act 2006 provides that where a local authority proposes to make prescribed alterations to a maintained school, it must publish its proposals. The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 ("the Prescribed Alterations Regulations") specify what alterations made by local authorities are prescribed alterations and specify the procedure to be followed when publishing and determining such proposals. Except in prescribed circumstances that are not presently relevant, the alteration of school's upper age limit by a year or more is a prescribed alteration. The proposal here is to add a sixth form and so the proposal is prescribed and the procedure in the Prescribed Alterations Regulations must be followed.

8.2 The Prescribed Alterations Regulations require the Council to follow a two stage process involving consultation prior to publication of a

proposal, followed (assuming the Council wishes to proceed) by publication of the proposal. The consultation must include prescribed persons. The Council is required to have regard to the Secretary of State's guidance as to consultation on proposals. The guidance recommends that the consultation allows adequate time, provides sufficient information for those being consulted to form a considered view and makes clear how the views can be made known. Proposers must be able to demonstrate how they have taken into account the views expressed during the consultation in reaching any subsequent decision as to the publication of proposals. The report states that consultation complies with the requirements of the Regulations and guidance and so the Council is in a position to determine whether to publish a proposal.

- 8.3 Paragraph 6 of the report sets out the consultation which has taken place and the responses to the views provided. In reaching its decision Cabinet must have regard to the responses received to the consultation.
- 8.1. The Prescribed Alterations Regulations prescribe what information must be specified in a proposal and how it should be publicised. The proposal should be published within a reasonable timeframe following consultation so that it is informed by up to date feedback. A statutory notice containing specified information and stating how complete copies of the proposals can be obtained must be published in a local newspaper, and also posted at the main entrance to the school (and all the entrances if there are more than one) and at some other conspicuous place in the area served by the school (eg. local library, community centre). It is essential that the published notice complies with the statutory requirements as set out in the Regulations otherwise it may be judged invalid.

9. ONE TOWER HAMLETS CONSIDERATIONS

- 9.1 The Local Authority has a key role in planning service provision to ensure there are sufficient and appropriate school places to meet local need. This proposal is specifically to provide for students with special education needs who cannot be provided for in a mainstream school, or college setting and is expected to have a positive effect in respect of equalities and diversity.

10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 10.1 In the design of the alterations to Phoenix School under the BSF programme, the use of sustainable materials will be taken into account. The design must comply with Building Regulations, Part L which has strict guidelines in respect of carbon emission levels and energy efficiency.

11. RISK MANAGEMENT IMPLICATIONS

11.1 The programme to deal with the publication of statutory proposals will be managed to ensure the timescale is met.

12. CRIME AND DISORDER REDUCTION IMPLICATIONS

12.1 There are no specific implications arising.

13. EFFICIENCY STATEMENT

13.1 The Council is using its assets efficiently by seeking to expand the provision at an existing school site to meet the specific needs of students.

14. APPENDICES

Appendix 1 – Consultation document

**Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report**

Brief description of “background papers”

Name and telephone number of holder and address where open to inspection.

none



Appendix A

LB TOWER HAMLETS

CONSULTATION ON PROPOSALS TO EXPAND PHOENIX SCHOOL TO INCLUDE A SIXTH FORM

Introduction

The report outlines a proposal for 6th form provision at Phoenix School for pupils whose needs cannot be met elsewhere. This will give ASD young people entitlement to full time education to 19. The BSF programme will provide the school with opportunities to build sixth form provision on a co-located site with Central Foundation Girls School.

This development is proposed in the context of the redesignation of Phoenix to a school for children with language and communication difficulties in 2001 and the SSAT recognition of the school as a specialist provider in communication and interaction from 2007. The new curriculum resources on which the sixth form provision would draw include land-based studies and food technology.

Education and Inspections Act does not make significant changes to the procedure for extending the age range of a community special school. The relevant regulations - The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 came into force at the end of May 2007. The consultation sets out, in schedule 4 part 2, the alterations that may be published by a local education authority in respect of community special schools. These include the alteration of the upper or lower age limits of the school. Discussion by the Board is an important contribution to the consultation stage of this process

Consultation Process

This paper is being sent to:

- all parents and carers of children now at Phoenix School
- all staff at Phoenix School
- all governors of Phoenix School
- all headteachers and chairs of governors of primary schools in Tower Hamlets

- all councillors in Tower Hamlets
- local MPs
- the London Boroughs of Newham and Hackney, Islington
- local trades unions

This consultation period runs from 4 January to 15 February 2010. A form is included at the end of this paper for the return of your views. Two meetings for parents will be held at the school to hear about the proposals and let us know your views. The meetings will be held on:

10th February at 7.30pm on parents evening
 13th January at 10.00am before the PASG meeting

Why is a sixth form needed?

Over the last two years Phoenix has completed its transition from a school providing education for MLD pupils to an establishment catering for the needs of pupils on the Autistic Spectrum. The result of this process has seen a significant change in teaching methods, resources and curriculum content. Ofsted reports and National Autistic Society accreditation testify to the fact that during this process of transition the standard of education provided by Phoenix has continued to be of the highest quality and that the school provides an outstanding education for its pupils. The school has also been awarded Specialist Schools Status. The school is now ready to move towards the next step of providing quality sixth form provision for a group of pupils whose difficulties in communication, social awareness and emotional intelligence has meant that post 16 educational provision for this group has been in need of development.

Personalised Learning

It is expected that most of the school population will be composed of the low and Middle (P levels 1-8, NC levels 1-3) end of the Autistic Spectrum with a sprinkling of the more able Aspergers group. As a consequence, our educational efforts will be focused primarily on the development of life-skills and the acquisition of vocational knowledge. The aim is to equip the students with the skills to lead lives in which they can make choices and decisions about their own futures and to grow as independent adults.

New Curriculum Resources at Phoenix

Land Based Learning

Phoenix has recently developed new resources for our current KS4 groups but we also see their potential for use by a new sixth form. We have put considerable resources into developing a new vegetable garden with an outdoor classroom, raised beds and an additional greenhouse all within a secure site. We have also appointed a horticulturist with a proven track record of teaching land based skills to groups of students who have learning difficulties. Groups are engaged in courses that will be awarded Practical Horticultural Skills (Certificate provided by Merton College) and Skills for Working Life level 2 (Certification from BTEC/NPTC/City and Guilds) Phoenix

is also in the process of becoming a satellite centre under the umbrella of BTCV which enables it to accredit awards sanctioned by the NPTC. It is possible that more able students in their final year in sixth form could complete National Vocational Qualification 1 (NPTC/City and Guilds) level.

We have also developed a landscaped flower garden and will be creating a natural garden with a pond and butterfly garden. This is all part of our commitment to embed land-based learning as part of our horticultural and science courses at all levels throughout the school so that students entering a sixth form will be well versed in working in an outdoor environment and therefore able to take advantage of accredited courses.

Developing our Land Based Learning Resources as a Centre of Excellence
We will also offer our courses in horticulture to groups from other educational establishments in the borough. We want to share these unique facilities as part of our commitment to creating an inclusive atmosphere for our students at Phoenix.

Linking Land Based Learning to the Community

Over the last few years we have established a good relationship with Mudchute Farm. Our KS4 SLD group uses the farm for work experience. We want to develop this resource further by establishing a permanent base within the farm. We think it is important that our sixth form gains as much experience as possible of working life outside the confines of the school community. Working with animals is also an excellent way of developing empathic skills to our pupils.

Food Technology

At present our Food Technology room is being re-modelled into two purpose built kitchens. This will enable students to become proficient in food preparation. We also intend to develop a 'café' for use by students and staff. The food for the café will be prepared by our own students and served by them. This will be part of our Enterprise Programme but it will also contribute to Life-skills and Preparation for Working Life.

Building for a Sixth Form

At the moment we are at the beginning phase of planning our new sixth form block on the co-located Phoenix/ CFGS site. We intend to run a joint Café with CFGS. This will be professionally managed to teach catering skills to both sets of pupils. The café will be used by teachers and staff of both school communities. We want our café windows to look out over Bow Road just like any Starbucks would do. Meals and snacks would be served and prepared by students from both campuses. This is again another example of our integrationist policy for ASD students.

Additional Building

We intend to have three groups giving us a total of 24 students. There will be three new tutorial rooms for our groups on the co-located site as well as a purpose built bed-sit flat so that life-skills can continue to be developed. There will also be an Art Design and Technology suite able to teach DIY, home

maintenance and decorating skills. In addition there will also be a sixth form common room so that students are able to continue to develop their social skills. The school already has a very active schools council composed of students from all year groups and we wish to continue to encourage a stakeholder attitude in our sixth form.

Teaching Methods at Phoenix

As part of our transition from an MLD to an ASD school we have developed an eclectic style of teaching which blends together best practice in educating ASD students. At the heart of our approach is a timetable based on pictorial symbols (PECS) and a pedagogy anchored in the TEACCH method. Because of this expertise we would hope to be able to offer some of our courses to students attending other institutions within the borough.

Diversity and Flexibility in the Design of the Curriculum

It is important to stress that educational provision should be tailored to the needs of the individual. This is especially so in the case of students on the ASD spectrum. It is so easy to be preoccupied by what they are unable to do and forget what each individual can achieve. Curriculum opportunities need to reflect strengths as well as weaknesses. In designing our curriculum for next years' KS4 we try to meet the needs of all our students. For instance there will be two groups. The 'entry level' group who will have the opportunity to improve their study skills through specialist teaching of traditional subject areas such as English, Maths, French, Art etc. It is recognised that not all students will reach entry level within the two years so this group will also embark on ASDAN Life-skills Certificate level one. This means that all the students in this group will have recognised awards at the end of two years plus improved study skills which will enable them to take advantage of a wider range of courses in higher education. The second group will sit ASDAN Transition Challenge. On the whole this group require more input on language, communication and social skills but there are individuals who will be able to cross-over into certain entry level subjects. It is an aspect of the autistic spectrum that individuals can attain a high level of achievement in some areas of the curriculum whilst performing very poorly in others. We are able to meet this need and will continue to build this flexibility into our curriculum design for a sixth form.

Our Sixth Form Curriculum.

A solid grounding in life/vocational skills will be a pre-requisite for all our students but we also require these courses to be recognised so that all our students gain a foothold on the educational step-ladder (we see education as a lifelong process). Having gained the Transition Challenge award those students would progress 'Towards Independence'. This ASDAN programme of study presents a framework of activities through which personal, social and independent skills can be developed and accredited for those with severe and profound learning difficulties. From there students can embark on 'Workright' which accredits a work-based/work experience programme of study.

For those completing The ASDAN Life-skills Certificate level one at KS4 there are two more levels which can be completed. The life skills certificate contains

six units: Citizenship, Community, Home management, ICT, Personal Care and Preparation for Working Life. It is a nationally recognised certification approved by QCA, DELLS and CCEA. We would also expect to offer the ASDAN Bronze award for our more able students. As illustrated by our current KS4 Curriculum we can also offer students the opportunity to further develop their study skills through specialist subject teaching.

Links with other educational partners

We already work closely with Central Foundation Girls School (CFGs) on arts projects and also have established links with Tower Hamlets College. Our KS4 groups have participated in Construction Challenge and we are keen that a sixth form would be able to take advantage of as many educational opportunities that further education within the borough can offer. We also want to be part of any borough initiative that encourages the acquisition of building and construction skills in our students.

Residential

Phoenix has always used residential trips as a way of teaching personal care and life-skills and this approach will continue with a sixth form. At present we are looking at suitable residential centres near London where we can take groups for short stay residential.

Additional Studies

Life is not just about work. We are keen at Phoenix to educate our students to develop recreational and leisure pursuits. This is a particularly important channel for ASD students to enable them to develop their social awareness and communication skills. We have an excellent record of achievement in this area. Students consistently achieve a GCSE in Art and Design, and participate in community arts projects such as Spitalfields Community Arts Festival. In the past we have designed a float and paraded in The Lord Mayor Show. We also have an 'Enrichment Afternoon' when formal lessons finish early and students can choose from a variety of activities such as cycling, roller blading etc. Our games afternoons afford the opportunity for students to engage in rock climbing, canoeing and dance. We also have a whole range of after school clubs.

Our New Performing Arts Studio

As a recognition of the importance of the arts in the life of the school we are planning the provision of a Performing Arts Studio. This purpose built studio will open up all kinds of new opportunities for dance, music and drama. We already work with Central Foundation Girls Arts School and further collaboration at sixth form level looks an exciting possibility.

Parental Involvement

A crucial element in the education of students on the autistic spectrum is the active involvement of parents. We have a proven track record of keeping in touch with parents not only through the formal occasions of annual reviews and parents evenings but often daily contacts between form tutors and home.

We also recognise the cultural diversity of the area that we serve and have a Bengali Women's Group, which enables the participants to learn about the condition that affects their children whilst at the same time respecting cultural and social traditions. We regularly use interpreters to help us communicate more effectively. This close home/school liaison is vital for the future of our students and it is no less important for students entering a sixth form especially as teenagers. It is a period of rapid physical and emotional growth which cannot only be perplexing and confusing for them but also those closest to them. Having strong bonds with parents can enable the school to support families through an often difficult time.

Working Closely with other Agencies

Phoenix is unique as an educational institution as it has onsite collaboration with a multi-disciplinary team of Health and Social Workers and Educational Psychologists. This team is seen as a vital element in our school development and will be an invaluable resource in the establishment of sixth form pastoral care.

The building plans for the school

The building plans for the school to accommodate the increased roll have been drawn up in close cooperation with the Headteacher and governors. The building plans are on display in the school during the consultation period.

Size of the increase in roll

The school now has 103 places from 3 – 16 years. Under the new proposals, there will be 9 places in each year. The total school roll over time will eventually be 130. There will be no change to the admissions arrangements to the school.

How will the increase take effect

The first group of extra children will be admitted to the school in September 2010, so that the full increase will arise after 2 years.

Timing

This initial consultation runs from 4 January to 15 February. The timetable for consultation and taking decisions following this stage of consultation is:

Initial consultation	4 January to 15 February 2010
The Council's Cabinet receives a report on the consultation and decides on publishing formal statutory proposals	March 2010

Statutory proposals published with 4 weeks allowed for comments	April 2010
The Council's Cabinet meets to consider any comments from the 4 week period and, in the light of these, to decide on implementing the proposals as published or with any modification	July 2010
Additional pupils admitted to sixth form	September 2010

Next steps

During this current consultation period, the Council wants to hear from as many people as possible. Please let us know your views by completing and returning the form on the next page.

There will be parents' meetings at the school on 13th January 2010 at 10.00am and on 10th February at 7.30pm – we hope as many parents as possible will be able to come to one of the meetings to hear about the proposals and let the Council know your views.

Phoenix SCHOOL

CONSULTATION ON THE PROPOSED EXPANSION OF PHOENIX SCHOOL TO INCLUDE A SIXTH FORM

	Please tick as appropriate
I agree with the proposal to expand the school	<input type="checkbox"/>
I do not agree with the proposal to expand the school	<input type="checkbox"/>
I am not sure	<input type="checkbox"/>

Other comments

NAME	
PARENT, GOVERNOR, OTHER (please state)	
DATE	

Please return this page by 15 February 2010 to:

The school office; or

Pat Watson, Head of Building Development, Children's Services, Town Hall,
Mulberry Place, 5 Clove Crescent, E14 2BG, or

e-mail to: pat.watson@towerhamlets.gov.uk