

Cabinet

12 September 2018

Report title	The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Lynne Moran Education	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable director	Meredith Teasdale, Director of Education	
Originating service	School Planning and Resources	
Accountable employee(s)	Bill Hague Tel Email	Head of School Organisation 01902 556943 bill.hague@wolverhampton.gov.uk
Report has been considered by	Strategic Executive Board Children, Young People and Families Scrutiny Panel	21 August 2018 20 June 2018

Recommendation for decision:

The Cabinet is recommended to:

1. Approve 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning'.

Recommendation for noting:

The Cabinet is asked to note:

1. The outcome of external consultation in relation to 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning.'

2. The summary of discussion from the Children, Young People and Families Scrutiny Panel on 20 June 2018 regarding 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning'.
3. The reduction in the recommended primary and secondary surplus (currently 5% and 6% respectively). The aspirational level of surplus has been reduced towards the Department for Education funding surplus figure (2%).
4. The need to introduce additional Secondary School places for September 2019.
5. That projected levels of demand suggest that further significant investment in additional school places will be required in the future to ensure that supply can meet demand. This will be over and above the existing capital programme.
6. That a further report will be brought to Cabinet with details of proposed individual schemes to be considered for inclusion in the Secondary Expansion Programme 2019 - 2020.
7. That the Regional Schools Commissioner is responsible for determining if academies can expand. The Council is not in full control of all the factors relating to the effective and timely supply of school places.

1.0 Purpose

- 1.1 This report introduces the School Organisation strategy entitled 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning'. The paper reports the outcome of the external consultation exercise and seeks approval of this strategic policy document.

2.0 Background

- 2.1 'The Vision for School Organisation in Wolverhampton 2018-2020: City of Wolverhampton Education Place Planning' outlines the framework for decision making regarding primary and secondary school places across the City of Wolverhampton. The Vision highlights the impact of demographic uplift on demand for schools across the City and the need to identify and develop appropriate solutions to meet anticipated demand for primary and secondary educational provision in the future.
- 2.2 The Vision, aligned with the Council's School Improvement and Governance Strategy, seeks to secure sufficient school places where high quality education is provided to contribute to improved educational outcomes across the City. The Council's role is to ensure the sufficiency of provision and influence the quality of education provided regardless of how schools are organised or governed.
- 2.3 The Vision contains frameworks to support both the identification of schools for expansion and, in cases where there is considerable surplus capacity, the removal of provision. Surplus places are school places that have not been filled.
- 2.4 A key change to note is a reduction in the recommended primary and secondary surplus (currently 5% and 6% respectively).

When allocating basic need funding to Local Authorities central government operate a level of 2% surplus. Historical patterns of in year growth have seen increases in pupil numbers in excess of this 2%. There is a balance to be found between investment in school places, supporting schools with low pupil numbers and meeting parental preference. Therefore, the aspirational level of surplus has been reduced towards the Department for Education funding surplus figure, which in turn will support those schools with low pupil numbers.

- 2.5 The Vision highlights that a challenge the City of Wolverhampton faces in relation to the organisation of primary and secondary school provision is ensuring that sufficient high-quality school places are available to meet the needs of local communities across the City.
- 2.6 The Vision also details that the Council is not in full control of all factors relating to the effective and timely supply of school places. To ensure that the needs of families and pupils can continue to be met effectively it may, on occasion, be necessary for the Council to adopt a more responsive approach to school place planning.

- 2.7 Previously the Primary and Secondary School Sufficiency Strategies have been developed as two separate documents. The documents have been combined to improve efficiency and ease of use.
- 2.8 The focus for the new Vision is to:
- Acknowledge value for money in expanding schools, whilst noting that given the scale of recent expansion programmes, there are a limited number of remaining opportunities available within the existing school estate
 - Carefully manage the introduction of new provision within the City (legislation dictates that, when considering the establishment of a new school, Free School/Academy proposals should be considered in the first instance and that Academy Trusts can apply directly to the Secretary of State to make significant changes to individual establishments)
 - Highlight that the Council is not in full control of all factors relating to the effective and timely supply of school places and therefore, successful partnership working is of paramount importance to ensure that the needs of the City's communities can be met. The Regional Schools Commissioner is responsible for determining if academies can expand.
- 2.9 A copy of 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning' is attached as Appendix 1 to this report.

3.0 Consultation

- 3.1 The development of 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning' has been informed by contributions from senior representatives across Education during an internal consultation which ran from 5 March 2018 -19 March 2018, and the maintenance of an Issues Log which highlighted potential changes to the preceding strategies (Primary School Organisation Strategy 2016-2018 and Secondary Sufficiency Strategy 2016-2018).
- 3.2 Following approval from Strategic Executive Board on 24 April 2018 and to support the development of the strategy, key external stakeholders were consulted.
- 3.3 The Vision underwent external consultation from 10 May 2018 - 5 June 2018, giving due regard to Purdah.

The external consultation sought to obtain the views and comments from the following interested parties. Over 250 emails were distributed to:

- The Headteachers of Infant, Junior, Primary, Secondary, Pupil Referral Units, Special Schools and maintained nurseries in Wolverhampton
- The Chair of Governors of Infant, Junior, Primary, Secondary, Pupil Referral Units and Special Schools in Wolverhampton

- Diocesan Authorities
- The Academy Trusts
- Trade Unions
- All Councillors
- Schools Forum
- ConnectEd Directors
- Wolverhampton MP's
- Changing our Lives (linked to Special Schools)
- Voices for Parents (linked to Special Schools)
- West Midlands School Organisation Group (this group includes School Organisation Officers from the Councils of Sandwell, Walsall, Birmingham, Dudley and Worcestershire)
- Schools were encouraged to share the document with parents
- Regional Schools Commissioner

4.0 Outcome of External Consultation

- 4.1 Thirteen responses were received in external consultation, seven of which gave feedback on 'The Vision for School Organisation in Wolverhampton 2018-2020: City of Wolverhampton Education Place Planning'. Feedback from external consultation was varied and concerned itself with both content and style. Key points are summarised below, refer to Appendix 2 to this report for full formal responses.
- 4.2 The distribution of excess surplus and the effect of increased Published Admission Number (PAN) in popular schools on under-subscribed schools in remote areas was questioned. The respondent highlighted that the Ofsted rating of their school had restricted them from increasing their PAN. A solution of capped PAN on popular schools rather than increased PAN was put forward, with a view to distributing excess surplus.
- 4.3 A respondent noted the need to reference a method of communication and embedded change management practises with Governing Bodies in relation to school place planning proposals.
- 4.4 A respondent noted the differences between Schools/Academies in primary and secondary phases.
- 4.5 The strengthening of the narrative regarding Housing growth and implications on school places was commented upon and consideration of City growth.
- 4.6 Two respondents referenced early years policy and a need to focus on Nursery School Provision.
- 4.7 A respondent supported the strategies approach to SEND and specialist provision.
- 4.8 The terminology and tone of the section entitled 'Wolverhampton Context' was questioned, specifically in relation to the wording used surrounding the superdiversity and the demographics of the City.

- 4.9 In terms of the factors considered for expansion schemes, a respondent highlighted the need to define more specifically the position in terms of those schools that have selective criteria, including those that are faith based, to ensure fairness of investment for those children residing in the City of Wolverhampton.

5.0 Responses to External Consultation and Amendments to the Vision

- 5.1 In response to the outcomes of consultation, representatives from the Education Department would like to make the following comments:
- 5.2 The Council have the statutory duty to ensure there are sufficient school places but are not in full control of all the factors relating to the effective and timely supply of school places. In addition, Trusts can decide to admit above PAN. A paragraph to this effect has been added to section 1.6 of the Vision.
- 5.3 Should there be increases in demand in-year, the Council may need to have dialogue with Schools/Trusts to admit above PAN in order to ensure sufficiency of provision. Good quality additional places would need to be provided where demand dictates and aligned to parental preferences.
- 5.4 The Council aims to have a level of surplus in order to cater for fluctuations in demand, however, due to parental preferences, popularity of schools and school standards this surplus is not spread evenly across the City.
- 5.5 Chapter 9 of the Vision states 'We recommend that whenever the Headship of a school becomes vacant in an infant or junior school, the Council invites responsible bodies (e.g. Governing Boards) to consider their merger or amalgamation.'
- 5.6 Chapter 4 of the Vision states 'The Council is committed to ensuring the implementation of practical solutions to meet the basic need challenge and will work closely with schools and Academy Trusts to develop appropriate schemes that consider pupils' needs and support the effective delivery of the curriculum.'
- 5.7 It is recognised that primary and secondary provision will differ. The Council has a statutory duty to ensure the sufficiency of school places and the Vision provides the framework to support the supply of school places regardless of the phase of education.
- 5.8 The narrative of the Vision regarding Housing growth and implications on school places has been strengthened following feedback from the consultation.
- 5.9 The Vision's core focus is statutory school provision. Notwithstanding this, the Early Years section (chapter 8) does reference the Early Years Strategy. The Early Years Strategy includes a breakdown of Early Years providers on p20 and Nursery schools are specifically mentioned on page 19. Further information relating to nursery hours entitlement and provision is available in the Childcare Sufficiency Review which is also referenced.

- 5.10 With reference to the terminology and tone of the section entitled 'Wolverhampton Context', the consultees comments have been considered and the wording used in this paragraph amended to avoid potentially emotive language.
- 5.11 Figure 2, p14 of the Vision provides a breakdown of the different establishment types within Wolverhampton and highlights the diverse range of education provision. Each establishment has their own admissions criteria which is followed when allocating school places. When additional places are required the Vision supports the need to review all factors for prioritising potential expansion schemes, refer to chapter 4 p 23. In the case of school expansions, relevant stakeholders are always consulted in accordance with statutory requirements and have the opportunity to raise any concerns.

6.0 Outcome of Children, Young People and Families Scrutiny Panel

- 6.1 A draft version of 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning' was taken to Children, Young People and Families Scrutiny Panel on 20 June 2018. A summary of the discussion points at this meeting is included in Appendix 3 to this report.

7.0 Secondary school provision

- 7.1 To ensure that anticipated levels of future demand are catered for appropriately, as detailed in 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning' representatives are currently identifying potential solutions.
- 7.2 An updated sufficiency exercise will be undertaken to identify schools with the potential for expansion.
- 7.3 A further report will be brought to Cabinet with details of the proposed Secondary Expansion Programme 2019 - 2020.

8.0 Financial implications

- 8.1 Projected levels of demand suggest that further significant investment in additional school places will be required in the future to ensure that supply can meet demand. This will be over and above the existing capital programme.
- 8.2 The Vision outlines how the Council will meet its statutory responsibilities regarding providing sufficient school places. Central Government provide a level of capital funding through the Basic Need formula. Historically, the amount received through the Basic Need funding has been insufficient to cover the costs of expansion schemes. This has led to the Council having to fund the balance, predominantly through borrowing.
- 8.3 The Medium Term Capital Programme includes funding for the Primary School Expansion Programme 2018 – 2020 and the Secondary School Expansion Programme 2017 -2019, totalling £35.9 million. In the event that there is any surplus against these

programmes, it will first be used to support the next tranche of schemes under the Secondary School Expansion Programme 2019-2020.

- 8.4 The details of individual schemes under the Secondary School Expansion Programme 2019-2020 are not yet known and will be subject to a future report to Cabinet.
[AS/12082019/J]

9.0 Legal implications

- 9.1 Under sections 13 and 14 of the Education Act 1996 (as amended by the Education Acts 2006 and 2011), a local education authority has a general statutory duty to ensure that there are sufficient school places available to meet the needs of the population in its area. The local authority must promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. It must also ensure that there are sufficient school places in their area and promote diversity and increase parental choice. To discharge this duty the local authority has to undertake a planning function to ensure that the supply of school places balances the demand for them.
- 9.2 The Education and Inspections Act 2006 requires local authorities to promote choice and diversity when carrying out their strategic duties in relation to the provision of new school places.
[RB/06082018/F]

10.0 Equalities implications

- 10.1 An initial equality analysis has been undertaken with regard to 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning'. The strategy focuses on the supply of sufficient high-quality school places for primary and secondary school pupils who may belong to groups with different characteristics protected by the Equality Act 2010. The analysis of the strategy has not found any equality issues at its design stage. The implications of specific significant change proposals developed in line with the policies outlined within the Vision will be subject to individual equality analyses.

11.0 Environmental implications

- 11.1 There are no direct environmental implications arising from this report.

12.0 Human resources implications

- 12.1 There are no direct HR implications arising from this report.

13.0 Corporate landlord implications

- 13.1 To support the process Corporate Landlord will be required to work with those schools identified within the scope of the place planning exercise to establish the feasibility and likely cost of providing additional pupil capacity on those sites. This process will require

the support of a cross section of professionals including Surveyors, Engineers, Architects etc. allowing desk top information and initial sketch proposals to be considered. Corporate Landlord will also liaise with colleagues in Legal Services in the case of feasibility works on Academy, Church or Free School sites that are subject to lease agreements. Corporate Landlord will be able to consider other potential solutions outside of the current traditional school estate if required. It must be noted Education will need to identify a budget prior to commissioning these initial feasibility works.

14.0 Evaluation of alternative options

- 14.1 Option 1: no strategy document in place. This would mean that the Local Authority would not have a framework for school organisation and related decision making regarding primary and secondary school places across the City of Wolverhampton.
- 14.2 Option 2: use existing primary and secondary sufficiency strategies with an updated date. Historically these separate strategies have been revised every two years in order to take account of changeable factors such as new legislation, demographic trends and the landscape of the autonomous school system.
- 14.3 Option 3: Approve 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning'. This will be adopted as the framework for school organisation and related decision making regarding primary and secondary school places across the City of Wolverhampton.

15.0 Reason for decisions

- 15.1 If 'The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning' is approved by Cabinet, this framework will be adopted and used to inform school organisation in Wolverhampton. Due to the significant demand for secondary pupil places in the short to medium term, the Vision will be particularly important in exploring solutions and decisions when introducing additional capacity into the City.

Notwithstanding this, the Regional Schools Commissioner is responsible for determining if academies can expand. The Council is not in full control of all the factors relating to the effective and timely supply of school places.

16.0 Schedule of background papers

- Children, Young People and Families Scrutiny Panel, 20 June 2018 - [The Vision of School Organisation 2018-2020: City of Wolverhampton Education Place Planning](#)

15.0 Appendices

Appendix 1 – ‘The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning’

Appendix 2 – External Consultation Responses

Appendix 3 – Summary of Discussion from Children, Young People and Families Scrutiny Panel