

CITY OF
WOLVERHAMPTON
COUNCIL

Children, Young People and Families Scrutiny Panel

20 June 2018

Report title	The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning		
Cabinet member with lead responsibility	Councillor Lynne Moran Education		
Wards affected	All		
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 to be/has been considered by	Education Leadership Team Strategic Executive Board Cabinet		26 February 2018 24 April 2018 12 September 2018

Recommendation(s) for action or decision:

The Scrutiny Panel is recommended to:

To conduct pre-decision scrutiny on *The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning* and refer comments to Cabinet.

Recommendations for noting:

The Scrutiny Panel is asked to note:

1. The outcome of external consultation on *The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning*
2. The reduction in the recommended secondary surplus from 6% to 5%
3. The impact of the demographic uplift on demand for schools in the City

4. The need to identify and develop appropriate solutions to meet anticipated demand for primary and secondary educational provision in the future
5. 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 To review *The Vision for School Organisation 2018-2020: City of Wolverhampton Education Place Planning* (please see Appendix 1) prior to seeking Cabinet approval on 12 September 2018.
- 1.2 This item is being considered is pre-decision scrutiny and will therefore not be available to call in once a decision is made by the Executive.

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 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.
- 2.3 A key change to note is a reduction in the recommended secondary surplus from 6% to 5%. Surplus places are school places that have not been filled. The recommended surplus for both primary and secondary is now 5%, this brings the surplus position of secondary provision in line with primary provision and is consistent with neighbouring authorities.
- 2.4 The focus for the 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).
 - Demonstrate how the Vision fits within wider city housing regeneration strategies.
 - 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.

2.5 *The Vision for School Organisation in Wolverhampton 2018-2020; Wolverhampton Education Place Planning* underwent an internal consultation from 5 March – 19 March 2018 and by giving due regard to Purdah, the external consultation ran from 10 May – 5 June 2018.

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

- The Headteachers of nurseries, Infant, Junior, Primary, Secondary, Pupil Referral Units and Special Schools 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

3.0 Outcome of External Consultation

3.1 Thirteen responses were received in external consultation, seven of which gave feedback on *The Vision for School Organisation in Wolverhampton 2018-2020; 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 for full formal responses.

- 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.
- 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.

- A respondent noted the differences between Schools/Academies in primary and secondary phases.
- The strengthening of the narrative regarding Housing growth and implications on school places was commented upon and consideration of city growth.
- Two respondents referenced early years policy and a need to focus on Nursery School Provision.
- A respondent supported the strategies approach to SEND and specialist provision.
- The terminology and tone of the 'Wolverhampton Context' was questioned, specifically in relation to the wording used surrounding the superdiversity and the demographics of the City.
- In terms of those 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.

4.0 Responses to External Consultation

- 4.1 In response to the outcomes of consultation, representatives from the Education Department would like to make the following comments:
- 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 and Trusts can decide to admit above PAN.
 - Should there be increases in demand in-year, the Council may have 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.
 - The Council aims to have 5% 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.
 - Section 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 Bodies or Trusts) to consider their merger or amalgamation.'
 - Section 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.'

- 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.
- The narrative of the Vision regarding Housing growth and implications on school places will be strengthened following further feedback from the consultation.
- The Strategies core focus is statutory school provision. Notwithstanding this, the Early Years section (chapter 8, p34-35) 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.
- The addition of a breakdown of nursery provision will be considered for the final version of the Vision.
- With reference to the terminology and tone of the 'Wolverhampton Context', the consultees comments have been considered and the wording used in this paragraph will be amended accordingly.
- Figure 2, p14 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 section 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.

5.0 Questions for Scrutiny to consider

1. Has the vision document highlighted the need to plan for future anticipated demands for school places and the pivotal role of forecasting demand within the School Organisation Team?
2. Has the vision demonstrated how education place planning fits within the wider housing regeneration strategies?
3. Does the vision explain the opportunities and challenges in expanding the school estate within Wolverhampton?
4. Do you agree with the surplus reduction in secondary provision from 6% to 5% in line with primary provision and other local authorities?

6.0 Financial implications

- 6.1 Projected levels of demand suggest that further significant investment in additional school places will be required in the future in both the primary and secondary estates to ensure that supply can meet demand.
- 6.2 This strategy 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 Basic Need funding has been insufficient to cover the costs of expansion schemes. This has led to Council having to fund the balance, predominantly through borrowing.
- 6.3 The introduction of additional school places funded mainly by the Council as detailed in 6.2 places significant strain on both Capital and Revenue budgets. The continued increase in demand is likely to further impact on these budget pressures.

[Finance Code: DB/07062018/S]

7.0 Legal implications

- 7.1 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 must undertake a planning function to ensure that the supply of school places balances the demand for them.
- 7.2 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.

[Legal Code: RB/06062018/A]

8.0 Equalities implications

- 8.1 As external consultation of *The Vision for School Organisation 2018-2020; City of Wolverhampton Education Place Planning* finished on 5 June 2018, a detailed equality analysis is being finalised and this will be available to Cabinet. The Vision 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.

9.0 Environmental implications

9.1 There are no direct environmental implications arising from this report.

10.0 Human resources implications

10.1 There are no direct HR implications arising from this report

11.0 Corporate landlord implications

11.1 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.

12.0 Schedule of background papers

- Strategic Executive Board Briefing Paper 24 April 2018
- Children, Young People and Families Scrutiny Panel Report 20 June 2018