

COUNCIL

10 NOVEMBER 2022

OUTCOMES OF CONSULTATION ON PROPOSALS TO CHANGE THREE GRAMMAR SCHOOLS FROM SINGLE GENDER TO CO-EDUCATIONAL PROVISIONS

Portfolio Holders: Councillor Mrs Josie Iles, Portfolio Holder for Children’s Services
(Lead Member)
Councillor Martin Potter, Portfolio Holder for Education and Schools

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Summary

This report outlines the outcomes of the consultation on proposals for three Medway grammar schools to change their admissions arrangements from single sex to co-educational provisions.

This report requests that the Council agrees an addition to the Capital Programme to fund the necessary building modifications to ensure appropriate facilities are available.

The report was considered by the Children and Young People Overview and Scrutiny Committee and its comments are set out at section 9 of the report and by the Cabinet, the decisions of which are set out at section 10 to the report.

1. Budget and Policy Framework

1.1. Medway Council has a statutory duty to provide sufficient school places. The proposed change will also help meet the Council Plan Priority of ‘Supporting Medway’s people to realise their potential’, and the outcome of ‘All children achieving their potential in schools’. The proposal, if approved, would require funding through the Education Capital Programme. Therefore, approval was a matter for Cabinet. The requested addition to the Capital Programme is a matter for Full Council.

2. Background

2.1. Medway has six selective schools, only one of which is currently co-educational. The remaining schools are single sex, two are for boys, and three for girls. In September 2021, this resulted in 383 Year 7 boy’s places, 475 girl’s places, and 235 co-educational places.

- 2.2. The gender split among Medway pupils at primary age is 51% boys, 49% girls, which matches the England average for children aged 4 to 11. The current split in available mainstream secondary school places is 45% boys, 55% girls.
- 2.3. Therefore, the gender split in secondary selective school places does not align with the split in the population and cohorts of pupils coming through the primary school system who will require a place in secondary selective schools.
- 2.4. The Medway Test admissions process currently allows for a maximum of 25% of the Medway Year 6 cohort to attend selective schools (23% plus up to a maximum of 2% after academic review). This is limited by the current capacity of boy's places. However, this means not all available girls places can be offered through the Medway Test admissions process to Medway girls and are consequently filled by out of area pupils. Medway has place capacity in its selective schools to cater for approximately 28% of the current pupil population.
- 2.5. Expanding current boys' selective schools to balance the places would require an additional 90 places per year group. This is not feasible financially or in terms of physical space at boy's school sites. There is also not the wider place planning need.
- 2.6. Holcombe Grammar (boys), Fort Pitt grammar (girls), and Chatham Grammar (girls) are proposing to change from single sex to co-educational admissions. The three schools propose to change their admission arrangements simultaneously to avoid any under or over provision resulting from the changes. This would provide 685 co-educational places at Year 7 intake in total, with 203 boy's places and 205 girl's places at the remaining single sex schools. This would give an approximate 50/50 split in boy's and girl's places overall.
- 2.7. This change, could in time, allow for an increase in the Medway test pass rate, enabling more pupils, boys and girls, to attend their local selective school, but this depends on the size of the cohort.
- 2.8. This will ease the pressure on non-selective schools, providing Medway with more sustainable overall secondary provision, which should negate the need for further bulge classes within the non-selective sector, allowing those schools that are admitting pupils over PAN to consolidate places and make best use of their resources and facilities.
- 2.9. The Trusts that operate the three schools, which are all academies, have requested that the Council act as the co-ordinator of the process, to ensure that the full and appropriate processes are followed and to provide transparency and fairness in the process. The Council carried out, in partnership with the academy trusts, an informal public consultation on the change, and it will support on the preparation of the business cases at the end of the consultation and provide funding to assist with any necessary physical changes to the schools.

3. Results of the consultation

- 3.1. The consultation took place over eight weeks between 3 May and 26 June 2022.
- 3.2. A public drop-in session was held at each of the schools during the consultation, to enable interested parties the opportunity to ask questions and raise concerns. Attendance was low, with one attendee at Holcombe Grammar, five at Fort Pitt Grammar and none at Chatham Grammar.
- 3.3. A consultation document (appendix 1) was provided and distributed to wide range of stakeholders as listed within appendix 2. The document was available on the council's website for the duration of the consultation.
- 3.4. There were 67 responses to the consultation, broken down as shown in the table below. This includes letters of support from the Medway & North Kent MAT Alliance (Appendix 4) and the CEOs of the trusts which operate three schools (Appendices 5-7), that indicates that senior leaders and educators believe that this proposal is a positive step forward.

	Number	Percentage
Approve	31	46%
Object	32	48%
Neutral	4	6%

- 3.5. Consultees were able to give comments. These have been grouped into themes in the tables attached as Appendix 8, and officer responses provided. Some respondents will have made multiple comments on the various themes.

4. Analysis and advice

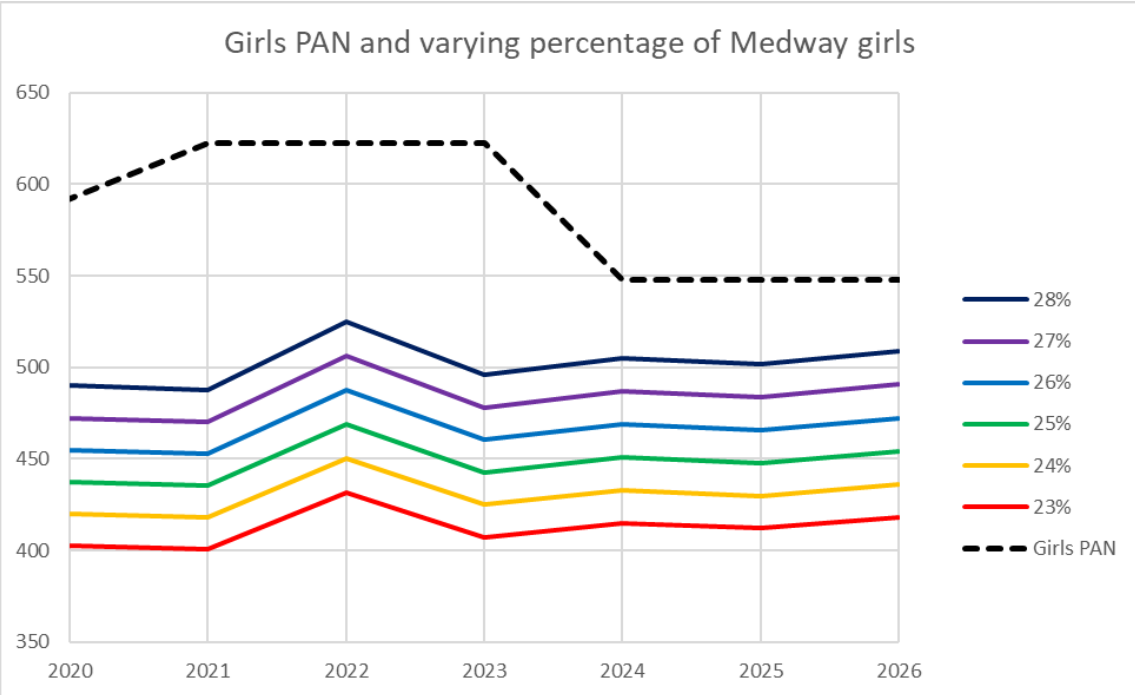
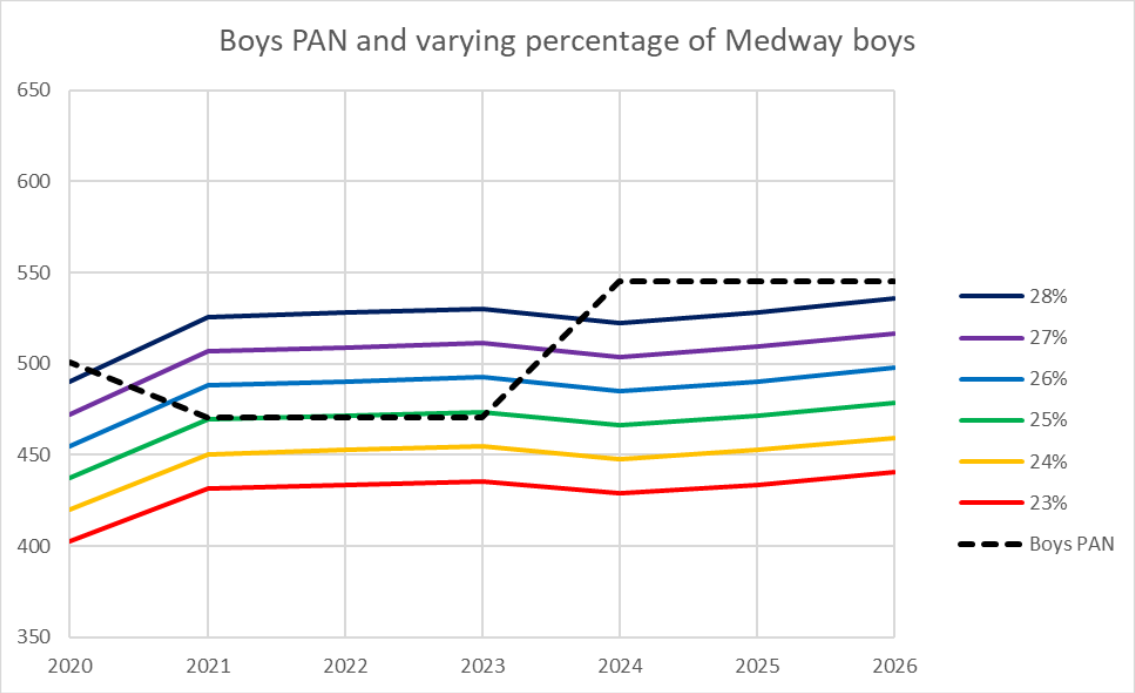
- 4.1. The change from single sex to co-educational is classed as a significant change by the Department for Education. The three schools are academies, and so they must each complete a full business case to support the proposed change. The Council will provide information and assistance with these where necessary.
- 4.2. The final decision on the change from single sex to co-educational lies with the Regional Schools Commissioner (RSC). Before the RSC can approve the proposals, the schools will also need to carry out a formal consultation on changing their admissions arrangements. This is a separate consultation carried out by each school, in accordance with the school admissions code. The Council will support the schools in this element of the process as necessary.
- 4.3. It is proposed to implement the changes in September 2024 starting with the year 7 intake and filling as a co-educational school year by year after that. For clarity, the incumbent year groups in the schools that are single sex will remain so for their journey through the school.
- 4.4. Implementing this proposal will result in more selective school places for Medway children, increasing opportunities for young people and improving the quality of provision in the local area. This will in turn help to reduce demand

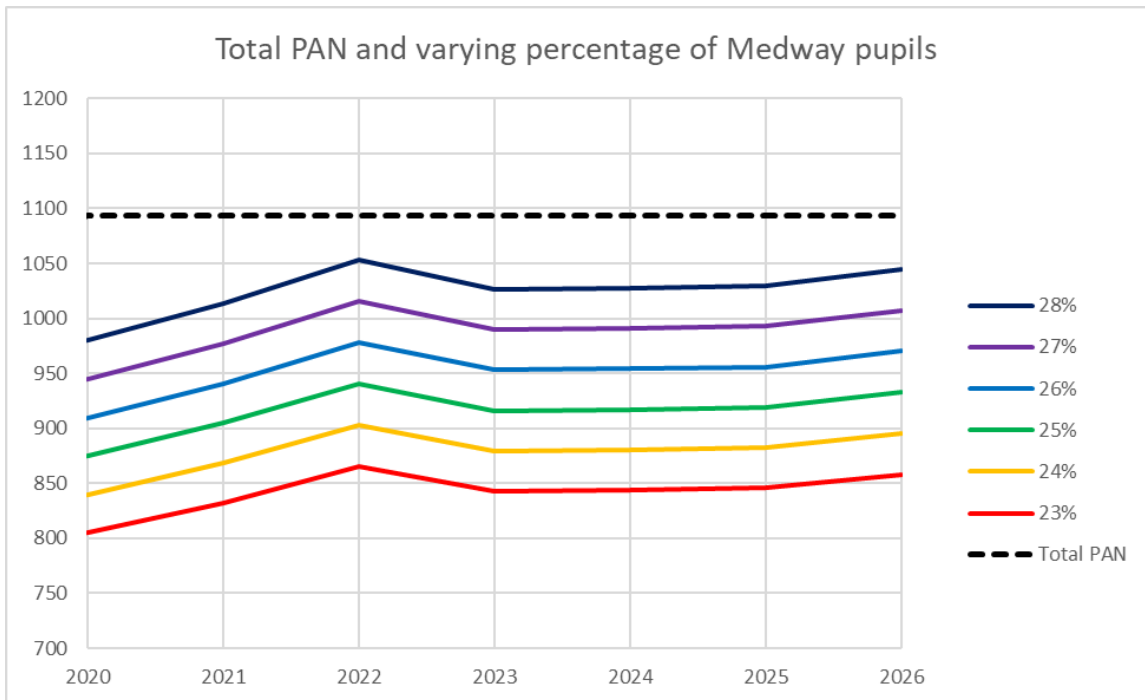
on non-selective places and ease the pressure on those places, which have been burdened in recent year by the addition of bulge classes to help meet demand. This will allow schools that have been taking over PAN in recent years to consolidate places and make best use of their resources and facilities.

- 4.5. For the desired outcome of more Medway boys and girls being able to attend a grammar school than currently do to be realised, parents will need to apply for a place appropriately. I.E., using all their preferences and not restricting the number of schools nominated on the application form. Parents of boys and girls will have five schools to name on their application form and it is strongly recommended, to ensure a place is offered, that all five are used. Parents who limit their preferences to one or two schools do risk not acquiring a grammar school place.

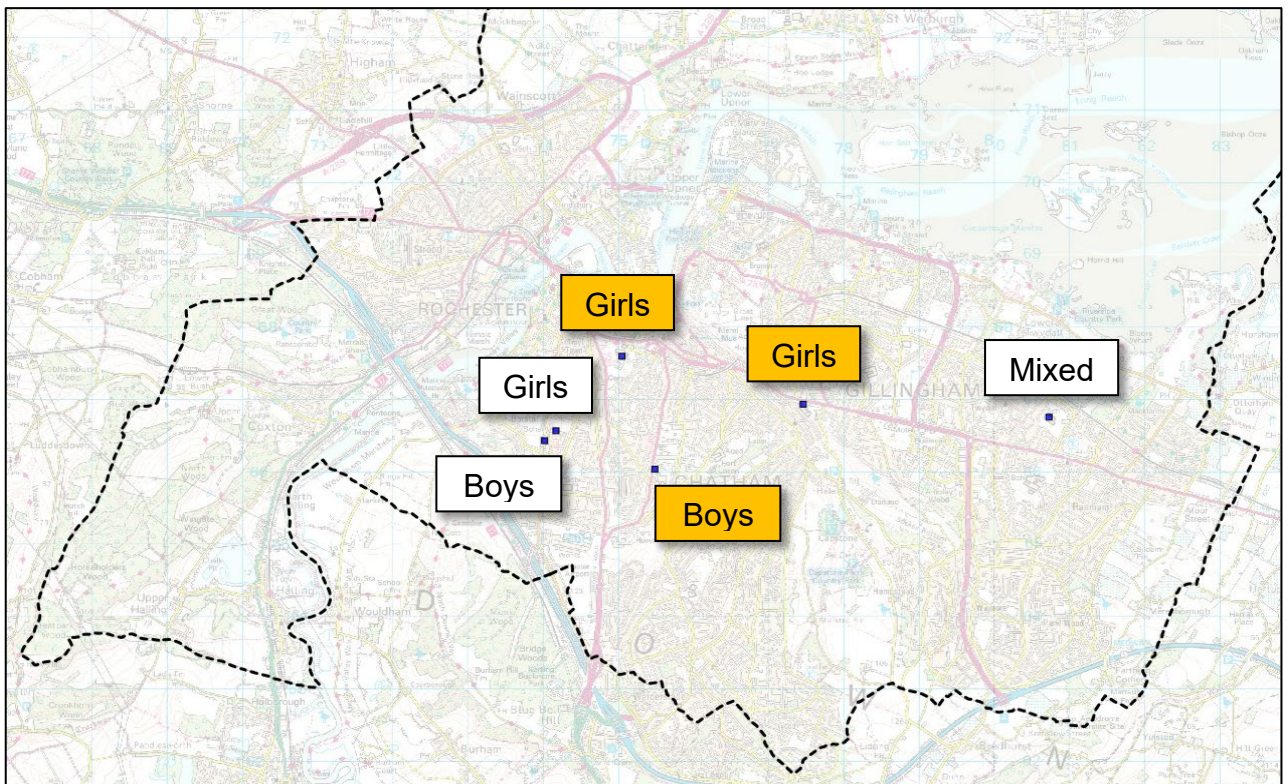
5. Benefits

- 5.1. One expected outcome of the changes proposed, would be an increase in Medway pupils accessing a selective school place and in turn, a reduction in out of area pupils. The Medway Test admissions process currently allows for a maximum of 25% of the Medway Year 6 cohort to attend a selective school. The current position, where there are more girls' places than boys means that boys places fill up, while excess girls places remain. These excess places are generally filled by out of area girls.
- 5.2. If the proposal goes ahead and the three schools become co-educational, this will equalise available boys' and girls' places, shown in the change to the PAN lines in the graphs below. This will then allow the percentage of Medway pupils to be increased, as there will be equal numbers of places for boys and girls. While more places will be available for boys than currently, they are not ringfenced for boys. So, if more Medway girls pass the Medway Test, then they will still be able to attend a Medway selective school. This will provide a fully inclusive offer to the local community and provide the opportunities for younger generations within the Medway community. This change, could in time, allow for an increase in the Medway test pass rate, enabling more pupils, boys and girls, to attend their local selective school, but this depends on the size of the cohort.





- 5.3. Pupils would have a greater opportunity to access their local selective school and reduce unnecessary travelling across Medway. The choice of schools would be increased from four to five for girls, and from three to five for boys.
- 5.4. If the three schools change to co-educational provisions, this will improve the balance of available boys and girl's places in Medway from 45% boys, 55% girls, to 50% of each. It will also improve the geographic distribution of boys and girl's places, with the schools proposed to change highlighted in the map below.



- 5.5. There is no recognised evidence that a school being single gender has a significant impact on attainment when compared to mixed schools.
- 5.6. It is more important that schools provide good quality education with a variety of outstanding learning opportunities and support for their pupils. All three schools are rated Good or Outstanding by Ofsted. The schools believe they have a social responsibility to ensure that local boys and girls have an equal opportunity to attend local grammar schools.
- 5.7. Rainham Mark, the only mixed grammar school currently in Medway, has been oversubscribed for a number of years and in 2022 had the highest number of first preferences of any Medway Grammar School.
- 5.8. All of Medway's primary schools are mixed, as is higher education, and nearly all work environments are mixed.
- 5.9. Medway's School Place Planning Strategy 2022-2027 states, at section 3.5, that the council will 'extend co-educational places when new schools are established', highlighting the council's commitment and preference for co-educational settings.
- 5.10. Indicative timeline (subject to change)

Figure 1 - Current distribution of selective schools

CYP Overview and Scrutiny	28 July 2022
Cabinet – outcomes of consultation	23 August 2022
Consultation on admissions arrangements	6 weeks starting October 2022
Schools submit business case to RSC	December 2022/ January 2023
Implementation if approved	1 September 2024

6. Climate change implications

- 6.1. No climate change implications arise directly from this report, however if any modifications are necessary at the three schools, designs and construction methods will consider such impacts and look to contribute to the council's climate change agenda.
- 6.2. By distributing boys and girl's places more widely across Medway, it will provide more opportunity for pupils to access a local grammar school and therefore it is expected that there would be a reduction in car journeys across Medway which will reduce any impacts upon air quality.
- 6.3. Pupils are encouraged by schools to walk or cycle to school, and this becomes more achievable if the provision is local.
- 6.4. For any physical changes which are required for the schools, officers will look to utilise methods, local contractors, and materials to help reduce the carbon footprint.

7. Risk management

7.1. There are no risks resulting directly from this report, however the following would be assessed as risks should recommendations from individual proposals flowing from this report not be implemented.

Risk	Description	Action to avoid or mitigate risk	Risk rating
The Council's statutory duty to provide sufficient good quality school places	If insufficient school places are made available to meet demand, the Council would be failing to meet its obligations.	Implement proposals to provide sufficient good quality places in the areas of demand.	C1
That insufficient funding is available to fund proposals to provide sufficient places	Basic need funding is limited, and the extent of the emerging need may mean that unless additional funding can be sourced, projects to provide places may not be able to be implemented, which could mean that the council fails to meet its statutory obligation.	Explore options to fund projects including bidding for funding initiatives. Look at cost effective ways to supply places. Utilise section 106 funding to create new and improved school places	B2
That the level of forecast pupils fails to materialise	Should the expected numbers of pupils fail to materialise, then any funding committed could have been better spent elsewhere.	Continue to monitor births, migration and housing developments and accuracy of forecasting.	D3
Reputational damage to the council if there is strong objection to the consultation	There will be a group of stakeholders who are in favour of single sex education and will challenge and not welcome any changes	The overall consultation process is lengthy and will work to consider all views. Current pupils in years 7 and 8 are the only ones who will see this change when they move into year 10 and 11. New admissions to schools will be made aware of Co-Educational intentions as part of the admission process and can consequently select the single sex options at that stage	C2

<i>Likelihood</i>	<i>Impact:</i>
A Very high	1 Catastrophic (Showstopper)
B High	2 Critical
C Significant	3 Marginal
D Low	4 Negligible
E Very low	
F Almost impossible	

8. Further Consultation

- 8.1. The initial public consultation on the proposed change to co-educational was carried out on behalf of the three schools. This consultation was not statutory for the Council but will enable the stakeholder parties to gauge views and opinions, which in turn will inform the statutory consultation in the autumn and is an integral part of the business case that each of the schools must submit to the Regional Schools Commissioner.
- 8.2. Following Cabinet having approved the continuation of the proposal, the individual schools will now need to consult on changes to their admissions arrangements. The schools are academies, and so they are responsible for carrying out this consultation. The schools have carried out admissions arrangements consultations in the past. The consultation results and comments in this report will form part of the business case which they will need to submit to the Regional Schools Commissioner.
- 8.3. A Diversity Impact Assessment accompanies this report and is attached as Appendix 3 to this report.

9. Children and Young People Overview and Scrutiny Committee

- 9.1. The Children and Young People Overview and Scrutiny Committee considered this report at its meeting on 28 July 2022 and its comments are set out below.
- 9.2. The Head of School Services introduced the report which outlined the outcomes of the consultation on proposals for three Medway grammar schools to change their admissions arrangements from single sex to co-educational provisions.
- 9.3. Members then raised a number of comments and questions, which included:
- **Response rate** – Members were disappointed in the low number of participation and responses to the consultation. It was commented that the consultation document was too complicated which may have impacted on the understanding of the questions contained in the document. More could have been done to engage and understand how

parents felt about this important decision and thought about the proposals put forward.

- **Consultation process** – in response to a question on how the process was managed, the officer said that all education provisions in Medway were sent the consultation document, with schools relied on to distribute the paperwork. Drop-in sessions were held at the grammar schools which were not very well attended but where people could attend to find out further information and have questions answered. The majority of respondents were from secondary school parents with some primary and out of borough respondents. The number of respondents was disappointing but there was a wide range of themes in the responses.
- **Geographical Range** – in response to a comment that geographical range to schools must be factored into decision making, the officer said this was one of the main things being looked into as the only co-education school for some parts of Medway was a considerable distance to children's homes. The proposal would create a good spread of co-educational establishment and would enable children to attend a local school that would not have been able to due to lack of availability in their local area and reduce the distance of travel.

By changing the arrangements would create a fairer access to schools for Medway pupils. The consultation was about whether to support this as a Council. The schools are academies, and they would conduct their own consultation. This consultation was about the figures and the Cabinet supporting the decision financially.

- **Selective Schools** - it was commented that there was no formal policy on this kind of process in Medway and there was a need for a policy document within the Council on matters such as this.
- **Benefit of Changes** - it was asked how this change would benefit Medway pupils when a large proportion of places in Medway grammar schools were from out of borough residents. The officer said that the changes would provide equal number of boys the opportunity and flexibility to attend a Medway school. It appears that this would reduce spaces for girls, but this was not the case as currently some of the girls' places were taken up by out of borough girls.
- **Parental Choice** – it was commented that the proposed changes would increase places for boys but diminish spaces for girls, however the officer stated that it does increase the opportunity for places for Medway boys and girls. It was further commented that this reduced the places at single gender schools, which was a concern as there would be no protection for parental choice in this regard. Officers acknowledged this and agreed that further conversations were taking place alongside discussions on selection and changes to the Medway test.
- **Transport** – in response to a question on the effect on transport policy and whether the policy would be changed, the officer said that transport policy would be looked into as part of the changes. Parents would be

encouraged to utilise all five preferences in order to maximise their chances of being given a preferred school.

- **Funding** – the proposed cost of funding from the Council towards this, was £2.5 million and due to come from future receipts of S106. It was asked if this had been costed up and if Trusts had been asked to contribute. The officer said that the budget had been costed formally with the three schools and was for adaptations to the schools. Discussions were taking place on how this would be phased. The finances proposed would come from the 2023/24 basic needs grants allocated from the DfE, and the school place planning strategy would set out how its proposed funds would be utilised.
- **Regional Schools Commissioner (RSC)** - it was asked if the RSC would support this project and if due to low number of consultees, they could reject the proposals. The officer advised that the RSC could reject the proposals, but they were aware of the current consultations and processes taking place as a result of informal conversations that had taken place. The Assistant Director, Education and SEND added that the RSC was reasonably content with the direction of travel.

9.4. The Committee noted the report.

10. Cabinet

10.1. The Cabinet considered the report on 23 August 2022 and agreed the following:

10.2. The Cabinet noted the comments made by the Children and Young People Overview and Scrutiny Committee as set out in section 9 of the report.

10.3. The Cabinet noted the outcome of the consultation and the next part of the process, which was to be carried out by the individual schools, as set out in paragraph 4.2 of the report.

10.4. The Cabinet recommended Full Council to agree to add £2.5 million to the Capital Programme to fund the necessary building modifications to ensure appropriate facilities are available (only if the Regional Schools Commissioner's decision was to go ahead with the proposals).

11. Financial implications

11.1. Any physical modifications required to the three schools as a result of the changes will be funded through the Children and Adults' Capital Programme. Current expectations that the modifications to the schools will require funding in the region of £2.5 million.

11.2. Where appropriate, developer contributions will be sought from new housing schemes to assist with the provision of school places.

11.3. In recent years, no basic need funding has been provided by central government to Medway council to provide additional places, therefore funding of projects has been reliant upon section 106 receipts, or council borrowing in advance of future developer contributions due to the delay in receiving

funding through this avenue. However, basic need funding has been provided for 2023/24, and so will be considered for this project.

- 11.4. The council will support the schools in bidding for a grant from the Selective Schools Expansion Fund (SSEF), which may assist in funding the capital works. However, at this time it is unclear whether any future opportunities to bid through this route will be made available by central government.
- 11.5. Occasionally, additional funding sources and initiatives become available such as free school waves or targeted basic need initiatives. Where possible the Council will seek to make use of those opportunities to reduce the demands upon the limited funding currently available.

12. Legal implications

- 12.1. Changing an academy from single sex to co-educational is classed as a significant change and requires the approval of the Regional Schools Commissioner. The academy also must carry out a consultation on changing its admission arrangements, in accordance with the school admissions code.
- 12.2. While the proposed consultation is not a statutory requirement for the Council, there is a strong expectation on Local Authorities to consult interested parties to develop their proposals as part of their duty under public law to act rationally and consider all relevant representations.
- 12.3. The Regional Schools Commissioner is the decision maker on any proposals made by an academy to change from a single to mixed sex provision.
- 12.4. Where a significant change involves a school changing between single and mixed sex, the decision maker must consider whether the change complies with equalities legislation.
- 12.5. Where an admissions change is proposed at an academy it falls to the academy trust to carry out any appropriate statutory consultation.
- 12.6. All decisions on funding approval for the individual projects will follow the Council's procurement procedures.

13. Recommendations

- 13.1. The Council is asked to note the comments made by the Children and Young People Overview and Scrutiny Committee as set out in section 9 of the report and the decisions of the Cabinet set out at section 10 of the report.
- 13.2. The Council is asked to agree to add £2.5 million to the Capital Programme to fund the necessary building modifications to ensure appropriate facilities are available (only if the Regional Schools Commissioner's decision is to go ahead with the proposals).

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Appendices

Appendix 1 – Consultation document

Appendix 2 – List of consultees

Appendix 3 – Diversity impact assessment

Appendix 4 – Letter of support from Medway & North Kent MAT Alliance

Appendix 5 – Letter of support from Andy Minchin – CEO of Beyond Schools Trust

Appendix 6 – Letter of support from Stuart Gardner – CEO of The Thinking Schools Academy Trust

Appendix 7 - Letter of support from Phillip Storey – CEO of University of Kent Academies Trust

Appendix 8 – Consultee comments and officer responses

Background papers

[School Place Planning Strategy 2018-2022](#)