

CABINET

10 JULY 2018

MEDWAY'S SCHOOL PLACE PLANNING STRATEGY 2018-22

Portfolio Holder:	Councillor Andrew Mackness, Children's Services (Lead Member) Councillor Martin Potter, Educational Attainment and Improvement
Report from:	Ian Sutherland, Director of Children and Adults Services
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Summary

This report provides details of the School Place Planning Strategy 2018-22 which replaces the previous School Organisation Plan 2011-16.

Cabinet is asked to consider and to approve the new strategy for implementation, following initial consideration by the Children and Young People Overview and Scrutiny Committee on 5 June 2018.

1. Budget and Policy Framework

- 1.1 Although there is no longer a statutory requirement for local authorities to have a School Organisation Plan, it was decided by Cabinet when approving the previous School Organisation Plan in November 2011, that having such a strategic plan will enable the Council to establish a framework for school organisation decisions to ensure an appropriate supply of school places linked to school improvement.
- 1.2 It is now considered that with the changing education landscape that a plan was no longer needed in the same format as the 2011-16 version. This new strategy will take an overarching view of school place planning and school organisation and will be complemented with annual reviews highlighting action taken, emerging need and making recommendations to ensure a sufficient supply of good quality school places is maintained when and where needed. The first annual review will be presented in the autumn of 2018.
- 1.3 Proposals that flow from the annual reviews will be consistent with the strategy's principles, the Council Plan Priority of 'Supporting Medway's people to realise their potential', and the outcome of 'All children achieving their potential in schools'.

Proposals, if approved, will be delivered through available funding from the Education Capital Programme, therefore, this is a matter for Cabinet.

2. Background

- 2.1 The School Organisation principles guide decision making in a clear and consistent way so that the Council complies with its statutory duty to provide sufficient good school places. The core of these principles ensures that any changes to schools are based upon improving schools and raising standards.
- 2.2 Over the life of the previous plan, a £45m programme of expansions and new schools has provided in excess of 3000 additional primary school places ensuring that the Council meets its statutory duty to provide sufficient good quality school places. Forecasts will be continuously and robustly monitored to highlight emerging need and localised pockets of primary demand are expected with plans in place to mitigate this.
- 2.3 The focus now turns to secondary places, with plans to match the additional primary places through grammar school expansions and two new free schools.
- 2.4 Any proposals flowing from the strategy will be informed by a robust analysis of the most up to date data available.
- 2.5 The Council has a statutory duty to ensure a sufficient supply of school places. This, coupled with the local and national policy of successful schools expanding, means that when deciding upon which schools to expand, consideration must be given to the OFSTED rating of the school, its current known performance, as well as its popularity with parents.

3. Options

- 3.1 The options are;
 - 3.1.1 To approve the School Place Planning Strategy with or without amendments.
 - 3.1.2 Not to approve the School Sufficiency Strategy.
- 3.2 It is recommended that Cabinet approve the School Place Planning Strategy.

4. Advice and analysis

- 4.1 The School Place Planning Strategy, as set out in Appendix 1 to the report, highlights the success of the previous plan and outlines the aims for the future. It revisits the School Organisation Principles to ensure they are relevant in today's education landscape and covers all streams of work involved with school organisation and place planning including;
 - National and local context
 - The academy programme
 - Free School Initiative
 - Working with KCC
 - Funding
 - The Local Plan

- Planning areas with some changes
- Updated School Organisation principles
- Forecasting methodology
- Special Educational Needs
- Revised statutory consultation practice
- Key challenges

5. Risk management

5.1 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 School Place Planning Strategy and the annual reviews 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 additional 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	A1
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

6. Equality

6.1 No Diversity Impact Assessment accompanies this report, however, one will be provided for individual proposals brought forward as a result of actions from the strategy.

7. Children and Young People Overview and Scrutiny Committee

7.1 The Children and Young People Overview and Scrutiny Committee considered this report on 5 June 2018.

- 7.2 The Programme Lead – School Organisation and Capital Services, introduced the report which presented Members with the draft School Place Planning Strategy 2018-2022, which replaced the outdated School organisation Plan 2011-16. He explained that the new strategy, which was no longer a statutory requirement, was a strategic plan to enable the Council to establish a framework for school organisation decisions and took an overarching view of school place planning which would be complemented by annual reviews to ensure sufficient supply of good quality school places is maintained.
- 7.3 Members then raised a number of comments and questions which included: -
- 7.3.1 **Sufficient secondary school places** – in response to a Member’s concerns about the time frame available in getting the proposed free schools built and ready for when the additional secondary school places were needed, the Programme Lead - School Organisation and Capital Services explained that discussions were underway with the Education and Skills Funding Agency (ESFA) and sites had been identified for further consideration. Officers were time aware of the need for the additional capacity. It was hoped that at least one of the two new free schools would be open for 2021 admissions which would then allow enough capacity within the system across Medway until the other school opened.
- 7.3.2 **Site for the proposed free school at Rainham** – A Member asked what the criteria was for identifying sites, explaining that some Councillors shared concern over the proposed site which was on the edge of the Medway boundary, where traffic congestion was already an issue and asked why other sites had not been proposed. In response the Programme Lead - School Organisation and Capital Services explained that five sites in the Rainham area had been considered. Advice from Planning Services had been considered and the sites put forward to the ESFA for feasibility studies. This process had resulted in one of the five sites being proposed for further investigation. Following a request from the Member, he undertook to provide a briefing note detailing the factors considered in determining a proposed site for the free school in Rainham.
- 7.3.3 **Capacity of school places for children with Special Education Needs (SEN)** – in response to a question about how capacity for SEN school places was being addressed, the Programme Lead - School Organisation and Capital Services explained that there was a review into this being carried out by the SEN Team which was looking at capacity issues, reducing the number of children placed out of area and whether children were being placed in the right placements and whether some should be placed in mainstream schools, where possible.
- 7.3.4 **Rewording** – The Programme Lead - School Organisation and Capital Services undertook to amend the wording at 9.1.2 of the draft strategy to ensure sensitivity.
- 7.4 The Committee recommended the School Place Planning Strategy 2018-2022 to the Cabinet for approval and requested a briefing note on the factors considered in determining a proposed site for the free school in Rainham.

7.5 Director's comments

- 7.5.1 With regards to the comments in paragraph 7.3.4 above, section 9.1.2 of the draft strategy has been amended to;

“For parents whose child has a special education need or disability (SEND) the choices may be more limited, but are no less important. All children and young people need to be equipped to be resilient in a diverse and challenging world. Whatever their ability, they need to be able to be fully included in society, to assess and take appropriate risks, and to live as independently as possible”.

8. Financial implications

- 8.1 All future projects approved and undertaken as a result of the strategy will be funded through the Children and Adults' Capital Programme. Funding implications for proposed projects will be included in subsequent Procurement Board reports requesting funding approval for each individual project.
- 8.2 Medway Council receives a basic need grant annually from central government to provide school places. The level of funding varies from year to year and is based upon the need for places.
- 8.3 For the financial year 2020-21 Medway will receive nil Basic Need grant funding from central government. All grant funding up until then is allocated to the current programme of projects to meet identified demand. Therefore, there are concerns that there could be insufficient funding available to meet future demand if additional capacity is required up until 2021 due to higher than expected inward migration. It is uncertain at this time whether Medway will receive grant funding beyond 2021, and this will not be announced until the spring of 2019.
- 8.4 To meet demand from housing developments emanating from the Local Plan, Developer Contributions will be sought from new housing schemes to assist with the provision of school places in areas of demographic growth. This Section 106 funding will be used to expand current schools or pooled with others to create new schools in areas of significant new housing. However, the level and timing of the funding can be erratic and difficult to predict.
- 8.5 In some cases, where the numbers of new housing determines, Medway will negotiate with developers to provide a new school in lieu of a financial contribution.
- 8.6 Occasionally, additional funding sources and initiatives become available. Where possible the Council will seek to make use of these opportunities to reduce the pressure upon the limited funding currently available.
- 8.7 No government funding is in place, nor expected, for Special Educational Needs before 2021. The department SEND team are currently undertaking a review of future demand and once this is known and should additional capacity be required, the Council will seek funding from a range of areas including central Government. All opportunities to acquire or bid for funding to ensure sufficient SEND places are available will be robustly explored.

9. Legal implications

- 9.1 The Council has a duty to provide good quality school places.
- 9.2 The Council has the power under sections 18 and 19 of the Education and Inspections Act 2006 to make “prescribed alterations” to a maintained school. The procedure for making prescribed alterations is set out in ‘School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
- 9.3 There is a statutory consultation process that the Council must follow when making changes to maintained schools as set out “Making ‘prescribed alterations’ to maintained schools” – statutory guidance for proposers and decision-makers (April 2016).
- 9.4 Where an academy is proposed for expansion it falls to the academy trust to ensure appropriate consultation is undertaken as set out in “Making significant changes to an open academy” DfE guidance for all types of academy trusts (March 2016). In such circumstances the Regional Schools Commissioner is the decision maker on the proposals. As these are basic need proposals funding responsibility falls to the Council and all decisions on funding approval will robustly follow the Council’s procurement procedures.

10. Recommendations

- 10.1 Cabinet is asked to note the comments of the Children and Young People Overview and Scrutiny Committee as set out in paragraph 7 of the report.
- 10.2 Cabinet is asked to approve the School Place Planning Strategy 2018-22 as set out in Appendix 1 to the report.

11. Suggested reasons for decision(s)

- 11.1 Having such a strategy will provide a framework for decision making in ensuring that the Council maintains its duty to provide sufficient school places

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Appendices

Appendix 1 - School Place Planning Strategy 2018-22

Background papers

None