

Report of the Strategic Director of Children's Services to the meeting of Executive Committee to be held on 06 December 2016.

AN

Subject:

Update on pupil place planning across the District and request to allocate Basic Need Funding to several school expansion schemes.

Summary statement:

This report asks the Executive to:

- Note the need for additional school places across the District.
- Support the expansion of Immanuel College's and Ilkley Grammar Schools by the allocation of Basic Need funding to allow the Council expand the schools.

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Portfolio:

Education, Skills & Culture

Overview & Scrutiny Area:

Children's Services

1. SUMMARY

This report asks the Executive to:

- 1.1 Note the need for additional school places across the District.
- 1.2 Support the expansion of Immanuel College and Ilkley Grammar Schools by the allocation of Basic Need funding to allow the Council to expand the Schools.

2. BACKGROUND

- 2.1 The Council has been delivering a programme of Primary School expansions since 2010 and has created over 8500 additional primary places across the District. Whilst there is still some pressure on primary school places across parts of the District the main pressure which will be faced over the next few years will be on secondary school places as the extra pupils at primary level transfer to secondary schools. The expansion programme is based on pupil forecasts and places are created across the District where the forecasts show the greatest need will be.

2.2 FUNDING ALLOCATIONS

The Council receives Basic Need funding from the government to provide extra pupil places. The funding allocation the Council received for the year 2017/18 was reduced to £727k and delayed the plans the Council had to expand secondary schools. In March 2016 however the Council received an allocation of £23.8m in Basic Need funding for years 2018/19 and is now looking to target this funding to the areas of greatest pressure on pupil places. It is important that the Basic Need settlement the Council receives in 2017 is sufficient to allow the continuation of the secondary school expansion programme. Since the allocation in March the Council has been working on plans for school expansions and a number of schools have been undertaking consultation exercises required under legislation on expansion. The Executive has already (in June 2016) approved the expansion of Parkside Secondary School and there will be further reports to the Executive in the future in relation to other proposed expansions.

2.3 IMPACT OF NEW FREE SCHOOLS

In September 2016 new Free Schools were announced in the Bradford District by the Department for Education and these are:

- New college Post 16 Free School
- Dixons Post 16 Free School
- Bradford Girls Academy

One of the impacts of the two new Post 16 Free Schools over the next few years is likely to be the closing of sixth forms in some secondary schools where the numbers are no longer viable as pupils move to the Post 16 Free Schools. In these circumstances it is likely that some former sixth form areas in some schools may be available for expansion to cater for a greater number of 11-16 aged pupils. This coupled with further secondary free schools which the Council understands may be planned is likely to mean that the Council is unlikely to need to build a new Secondary School (which it can only do by going down the Free School Presumption route) but instead will need to focus on the expansion of individual secondary schools provided they do not become too large and their learning offer is compromised. The Council does not have the statutory powers any more to open its own new schools, all new schools need to be Free Schools.

2.4 KEY PRESSURES AT SECONDARY LEVEL

Based on the current forecasts there are a number of key pressures on secondary school places for September 2017 which reduce in September 2018 due to expansions which are already planned. The Council is currently working with and meeting with secondary schools to agree a strategy to mitigate the short fall in places in these planning areas.

2.5 IMPACT OF HOUSE BUILDING ACROSS THE DISTRICT

The proposed core strategy is predicated on over 40,000 new homes being built over the next 15 years. This level of house building will undoubtedly impact on pupil pressures across the District however the Council is only allowed to include in its official pupil forecasts those developments where planning permission has actually been approved. On average new housing developments yield an extra 2 per pupil places per school year group per 100 new homes, this obviously varies depending on the type of housing built. The pupil place planning team works closely with colleagues in planning to look at applications for new housing and understand the potential impact on pupil places.

2.6 PROPOSED PRIMARY SCHOOL EXPANSIONS

Whilst the Council has expanded to date over 40 primary schools it is currently consulting on expanding Poplars Farm Primary, Steeton Primary and Ilkley All Saints Primary to deal with further pressures on pupil places at Primary level. Depending on the outcome of these consultations a further report may be brought to the Executive requesting permission to allocate Basic Need funding.

3.0 PROPOSED SECONDARY SCHOOL EXPANSIONS

3.1 Immanuel College

- 3.1.1 Forecasts show that there will be an increase in demand for secondary school places particularly in the east of the District. The current capacity of Immanuel College including post 16 provision is 1421 with a possible shortfall of over 200 by 2020.
- 3.1.2 As an Academy, the school's governing body is responsible for its own admission arrangements and must consult those affected by their proposals to expand before seeking the RSC/Secretary of State's approval to the change.
- 3.1.3 During the summer term a consultation was carried out by the school on a proposed increase in the published admission number (PAN) from 240 to 300 (equivalent to a 2 Forms of Entry increase) with effect from September 2018 and the expansion of the school premises subject to funding being available.
- 3.1.4 Subject to Executive approval the Council is proposing to allocate Basic Needs funding to enable the expansion of the school and for the school to be able to admit additional pupils.
- 3.1.5 If an Academy Trust wishes to expand, they need to consult those who could be affected by the change and then seek approval to the change from the RSC/Secretary of State.
- 3.1.6 Consultation was carried out between 27 June 2016 and 22 July 2016
- 3.1.7 At its meeting of the Governors on 27 September 2016 it was decided to seek the RSC/Secretary of State's approval to proceed with the expansion of the school subject to funds being made available. See extract from minutes in Appendix A.

3.1.8 The proposed increases would begin for pupils entering schools in September 2018 and would be incremental year on year until all age groups are increased.

3.1.9 The proposed increase in PAN across all year groups would enable the Local Authority to better meet the preferences expressed by parents and reduce the number of appeals lodged.

3.2 Ilkley Grammar School

3.2.1 Forecasts show that there will be an increase in demand for secondary school places particularly in the Wharfedale area of the District.

3.2.2 The current capacity of Ilkley Grammar School including post 16 provision is 1558 with a possible shortfall of over 118 by 2020.

3.2.3 As an Academy, the school's governing body is responsible for its own admission arrangements and must consult those affected by their proposals to expand before seeking the RSC/Secretary of State's approval to the change.

3.2.4 A consultation was carried out by the school on a proposed increase in the published admission number (PAN) from 261 to 300 with effect from September 2018 and the expansion of the school premises subject to funding being available.

3.2.5 Subject to Executive approval the Council is proposing to allocate Basic Needs funding to enable the expansion of the school and for the school to be able to admit additional pupils.

3.2.6 If an Academy Trust wishes to expand, they need to consult those who could be affected by the change and then seek approval to the change from the RSC/Secretary of State.

3.2.7 Consultation was carried out between 14 September 2016 and 12 October 2016.

3.2.8 At its meeting of the Governors on 17 October 2016 it was decided to seek the RSC/Secretary of State's approval to proceed with the expansion of the school subject to funds being made available. See extract from minutes in Appendix C.

3.2.9 The proposed increases would begin for pupils entering schools in September 2018 and would be incremental year on year until all age groups are increased.

3.2.10 The proposed increase in PAN across all year groups would enable the Council to better meet the preferences expressed by parents and reduce the number of appeals lodged.

4. OPTIONS

That Executive can decide to:

4.1 Approve the allocation of Basic Need Funding to enable the enlargement of the premises of Immanuel College and Ilkley Grammar Schools.

Or

4.2 Reject the allocation of Basic Need Funding for the enlargement of the premises of Immanuel College and Ilkley Grammar Schools.

5. FINANCIAL & RESOURCE APPRAISAL

- 5.1 Schools receive funding through the Fair Funding Formula which allocates funding to schools based on the number of pupils attending the school.
- 5.2 Capital funding will be allocated from “Basic Need” funding allocations which the Council receives from the Education Funding Agency to fund the creation of new school places.
- 5.3 The proposed allocation for expansion schemes at Immanuel College and Ilkley Grammar School is £4.7million each (based upon a 2FE increase). These budgets are indicative at this stage pending the commencement of detailed design work subject to Executive approving the School expansions. The allocation would consist of S106 and Basic Need funding.

6 RISK MANAGEMENT

- 6.1 There are no significant risks arising out of the implementation of the proposed recommendations. Processes will be put in place to manage all operational risks associated with the expansion projects

7. LEGAL APPRAISAL

- 7.1 Under section 14 of the Education Act 1996, the Local Authority has a statutory duty to provide sufficient school places for all pupils in its area.
- 7.2 Academy Trusts wishing to increase their Published Admission Number (PAN) are contractually obliged to comply with the requirements of the School Admissions Code including the timescale for changing admissions.
- 7.3 Proposals for a significant expansion of the premises must be submitted to the Secretary of State: Either the ‘fast track’ application or ‘full business case’ for a decision to be made by the Regional Schools Commissioner (RSC) or Secretary of State, as appropriate. Changes which do not meet the fast track criteria will require a full business case. Academies rated ‘good’ or ‘outstanding’ at their last inspection, proposing to physically expand their school premises, may follow the fast track process, unless the proposal results in an increase of over: 50% in the school’s capacity; and/or increases pupil numbers to 2,000 pupils or more.
- 7.4 Academy trusts will need to confirm to the RSC/Secretary of State that a fair and open local consultation has been undertaken for a minimum of four weeks with all those who could be affected by the proposed change and that the proposal takes account of all responses received; the change is aligned with local pupil place plans and it is unlikely to have a negative impact on educational standards at the academy or at other local schools or colleges; that all required funding is in place and appropriate planning permissions and other consents have been secured to support all proposals. The RSC/Secretary of State will need to be satisfied that the Local Authority has been consulted, and will consider any reasonable objections from them.
- 7.5 Where an academy agrees to expand to meet a local need for places Basic Need Funding can be allocated. Basic Need Funding is provided to Local Authorities to help support them to meet their statutory duty to secure sufficient school places in their area.
- 7.6 The RSC/Secretary of State will consider the proposals and either approve or reject them.

8. OTHER IMPLICATIONS

8.1 EQUALITY & DIVERSITY

The schools will continue as before to cater for the needs of all and serve their communities.

8.2 SUSTAINABILITY IMPLICATIONS

Any buildings works undertaken as part of these proposals will have an impact on sustainability in the district. The Council will aim to ensure that development is undertaken in a sustainable way which minimises the future impact of the Council's carbon footprint.

8.3 GREENHOUSE GAS EMISSIONS IMPACTS

The proposals would not impact on gas emissions. If children are able to attend their local schools this could lead to a reduction in emissions.

8.4 COMMUNITY SAFETY IMPLICATIONS

Concerns have been raised in relation to traffic and parking issues. The Local Authority will work with both Schools to try and mitigate any adverse impact on traffic and parking.

8.5 HUMAN RIGHTS ACT

The Human Rights Act incorporates the European Convention on Human Rights which provides that no person shall be denied the right to education.

8.6 TRADE UNION

Trade unions have been informed of the proposals. The proposed enlargement of the schools may lead to an increase in staffing levels.

8.7 WARD IMPLICATIONS

Ward Councillors have been consulted about the proposed changes to the Schools in their wards.

9. NOT FOR PUBLICATION DOCUMENTS

None.

10. RECOMMENDATIONS

- 10.1 To approve the allocation of Basic Need and S106 Funding to the expansion of Immanuel College and Ilkley Grammar School. .

11. APPENDICES

Appendix A	Extract of minutes from Immanuel Governing Body meeting 27.9.16
Appendix B	Initial Impact Equalities Assessment Immanuel College
Appendix C	Extract of Ilkley Grammar Governing Body minutes
Appendix D	Initial Impact Equalities Assessment Ilkley Grammar

12. BACKGROUND DOCUMENTS

12.1 Education Organisation Plan

https://www.bradford.gov.uk/bndc/education_and_skills/planning_education_provision


Extract from minutes of Immanuel College Governing Body Meeting 27.9.16

Following discussion and consideration of the outline proposal for school expansion the Full Governing Body resolved to proceed in principle with the expansion noting the benefit this would afford the children of the immediate area and community; WITH THE PROVISIO that this agreement is conditional on both facilities of appropriate quality and up front funding being made available to the College prior to the arrival of the first additional students at the school.

Appendix B

Initial Equalities Impact Assessment

Department: School Organisation and Place Planning, Children's Services	Completed by (lead): Nina Mewse	Date of initial assessment:
Area to be assessed: (i.e. name of policy, function, procedure, practice or a financial decision)	Report to the Executive requesting permission to use Basic Need Funding to expand Immanuel College	
Is this existing or new function/policy, procedure, practice or decision?	Decision	
What evidence has been used to inform the assessment and policy? (please list only)		
Pupils forecasting, number of applications and appeals for the school.		

1. Describe the aims, objectives or purpose of the function/policy, practice, procedure or decision and who is intended to benefit.	The use of Basic Need Funding would enable the Local Authority to work with Immanuel College to increase the capacity of the school and enable it to admit additional pupils. There is a need to provide additional secondary school places, particularly in Bradford East as demand increases. The expansion would assist the Local Authority in its' statutory duty of providing sufficient school places.			
The Public Sector Equality Duty requires the Council to have "due regard" to the need to:- (1) eliminate unlawful discrimination, harassment and victimisation; (2) advance equality of opportunity between different groups; and (3) foster good relations between different groups (see guidance notes)	2. What is the level of impact on each group/protected characteristics in terms of the three aims of the duty? Please indicate high (H) medium (M), low (L), no effect (N) for each.	3. Identify the risk or positive effect that could result for each of the group/protected characteristics?	4. If there is a disproportionately negative impact what mitigating factors have you considered?	
Protected characteristics	Age	L	n/a	n/a
	Disability	L	n/a	n/a
	Gender reassignment	L	n/a	n/a
	Race	L	n/a	n/a
	Religion/Belief	L	n/a	n/a
	Pregnancy and maternity	N	n/a	n/a
	Sexual Orientation	L	n/a	n/a
	Sex	L	n/a	n/a
	Any other area	n/a	n/a	n/a
5. Has there been any consultation/engagement with the appropriate protected characteristics?		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
6. What action(s) will you take to reduce any disproportionately negative impact, if any?				None required
7. Based on the information in sections 2 to 6, should this function/policy/procedure/practice or a decision proceed to Detailed Impact Assessment? (recommended if one or more H under section 2)		YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
Assessor signature: 	Approved by:		Date approved:	

Appendix C


Extract from minutes of Ilkley Grammar School Governing Body Meeting 17.10.16

“The Board of Governors met on October 17th to review all responses to the consultation. Having considered all points put forward, the governors decided that it is in the best interests of IGS to proceed with the permanent PAN expansion to 300 - subject to approval for sufficient Basic Needs capital funding from the Executive of Bradford Council; they also decided to approve the expansion of our Post 16 from 342 to 460.”

Appendix D

Initial Equalities Impact Assessment

Department: School Organisation and Place Planning, Children's Services	Completed by (lead): Nina Mewse	Date of initial assessment:
Area to be assessed: (i.e. name of policy, function, procedure, practice or a financial decision)	Report to the Executive requesting permission to use Basic Need Funding to expand Ilkley Grammar School	
Is this existing or new function/policy, procedure, practice or decision?	Decision	
What evidence has been used to inform the assessment and policy? (please list only)		
Pupils forecasting, number of applications and appeals for the school.		

1. Describe the aims, objectives or purpose of the function/policy, practice, procedure or decision and who is intended to benefit.	The use of Basic Need Funding would enable the Local Authority to work with Ilkley Grammar School to increase the capacity of the school and enable it to admit additional pupils. There is a need to provide additional secondary school places, particularly in the Wharfe Valley as demand increases. The expansion would assist the Local Authority in its statutory duty of providing sufficient school places.			
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Protected characteristics	Age	L	n/a	n/a
	Disability	L	n/a	n/a
	Gender reassignment	L	n/a	n/a
	Race	L	n/a	n/a
	Religion/Belief	L	n/a	n/a
	Pregnancy and maternity	N	n/a	n/a
	Sexual Orientation	L	n/a	n/a
	Sex	L	n/a	n/a
	Any other area	n/a	n/a	n/a
5. Has there been any consultation/engagement with the appropriate protected characteristics?			YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
6. What action(s) will you take to reduce any disproportionately negative impact, if any?			None required	
7. Based on the information in sections 2 to 6, should this function/policy/procedure/practice or a decision proceed to Detailed Impact Assessment? (recommended if one or more H under section 2)			YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
Assessor signature: 	Approved by:	Date approved:		