



Notice of KEY Executive Decision

Subject Heading:	Implementation of the Primary Expansion Proposal for Phase 4 – Mead Primary whether to proceed
Cabinet Member:	Councillor Robert Benham Cabinet Member for Children & Learning
SLT Lead:	Tim Aldridge, Director of Children's Services
Report Author and contact details:	Pooneeta Mahadeo School Organisation Manager pooneeta.mahadeo@havering.gov.uk 01708 431092
Policy context:	The Council has a statutory duty to provide sufficient school places for the local population. In Havering the school age population is rising and this is projected to continue. The Council has to plan to meet the need and ensure permanent places are available on time.
Financial summary:	Costs for the building works required for providing additional places at Mead is estimated at £3.625 m funded from the school expansion capital programme. The revenue costs related to the operation of the new provision at the school will be met from the Dedicated Schools Grant.
Reason decision is Key	The proposed expansions will cost £500,000 or more.
Date notice given of intended decision:	20/11/2017

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Relevant OSC:	Children and Learning
Is it an urgent decision?	YES
Is this decision exempt from being called-in?	NO

The subject matter of this report deals with the following Council Objectives

- Communities making Havering
- Places making Havering
- Opportunities making Havering
- Connections making Havering

Place an X in the [] as appropriate

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

- To approve the statutory proposal to expand the capacity of Mead Primary School with a modification to the implementation date to September 2019.

School	Planning area	Proposed increase in PAN
Mead Primary	Harold Hill	From 90 to 120 Sept 2019

- to change the type of special educational provision reserved for children with special educational needs at Mead Primary School from 10 places for children with Speech, Language and Communication needs (SLCN).to provision for to 12 places for pupils with Autistic Spectrum Disorder and/or Communication & Complex Needs from September 2018
- To approve the expansion of the nursery at Mead Primary School from 30 FTE places to 60FTE places, thereby making provision for 52 FTE places overall for 3 and 4 year olds and 8 FTE places for 2 year olds from September 2018

Recommendation

To make a decision on the expansion proposals above as set out in the Decision-maker guidance – **Appendix 1**

Assuming the second proposal above is approved, to approve the construction of a re-designed unit for pupils with Special educational needs at Mead Primary School.

AUTHORITY UNDER WHICH DECISION IS MADE

Cabinet agreed, at its meeting on 12 October 2016 to delegate the power to take further decisions regarding the approval of which settings/schools included within this report should be expanded or supported financially in the case of Academies (subject to the appropriate statutory processes) for Phase 4 of the Expansion Programme to the Lead Member for Children & Learning.

Additionally or in the alternative the power to take further decisions regarding expansion or financial support for Academies - not included within the report - in urgent and exceptional circumstances, (subject to the appropriate statutory processes and within the agreed capital programme) for Phase 4 of the Expansion Programme, to the Cabinet Member for Children & Learning after consultation with the Leader.

Primary SEN places

Cabinet Agreed to establish two Additionally Resourced Provisions (ARPs) for primary children with Communication and Interaction Needs, each with 12 places in mainstream primary schools for 2017/18. The ARPs would be established in the

Upminster, or Harold Hill, or Rainham and South Hornchurch primary planning areas

STATEMENT OF THE REASONS FOR THE DECISION

A non-key decision was made on the 13/09/2017 to publish a statutory notice regarding the proposal to expand the school from 3FE to 4FE. Due to the additional demand for school places which were set out in the Cabinet Report of 12 October 2016. Mead Primary School currently has an Additional Resource Provision (ARP) for 10 places for children with Speech, Language and Communication needs (SLCN). Demand for places for SLCN has reduced significantly and the school has been working in close partnership with the local authority to access additional resources and provision for the few pupils based in the unit for speech, language and communication who have more complex behavioural needs. The growth in children with complex Communication and Interaction and SEMH needs in Havering over the next five years is projected to increase by 20%.

Mead Primary School is located in the Harold Wood ward which is projecting a deficit of funded 2, 3 and 4 year old places. The existing nursery unit currently makes provision for 30 FTE places for 3 and 4 year olds. The proposal will be to expand the unit from 30FTE places to 60FTE places for 2, 3 and 4 year olds, thereby making provision for 52 FTE places overall for 3 and 4 year olds and 8 FTE places for 2 year olds by September 2018.

The increase in numbers at Mead nursery is being proposed in order to meet the demand for nursery places from the local area, which has seen population growth due to migration and new housing. The expanded Mead nursery will also help the Local Authority to meet its legal obligation to ensure that sufficient funded places for 2, 3 and 4 year olds are available.

A statutory Notice that included details of the proposal was published in the Romford Recorder on 22 September 2017; notices were also fixed to the entrance gate of the school and circulated to all interested parties. A Notice was also published on the Council's website with a link to further information about the proposal.

The representation stage, from 22 September to 20 October 2017, complied with statutory requirements by inviting representations from all interested parties on the proposals.

Three objections were received during the representation period.

OTHER OPTIONS CONSIDERED AND REJECTED

Do Nothing - This is not practical due to the legal and statutory obligation placed on the Council to provide sufficient school places and the pressures currently faced across the Borough.

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Expansion of Schools – This preferred option has the support of each School's Governing Body and local community and forms part of the wider development of the Schools for which funding has been made available within the Capital Programme.

PRE-DECISION CONSULTATION

Three responses were received within the 4 weeks representation period of the publication of the statutory notice. The main issues raised were traffic, increased parking problems and expansion of primary schools from 3 FE to 4 FE should be avoided in Havering and options for new schools or expansion of smaller schools should be considered first. The Local Authority responses to the objections are attached as **Appendix 2**.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Pooneeta Mahadeo

Designation: School Organisation Manager

Signature:



Date: 29/11/2017

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has a statutory duty to ensure sufficient primary and secondary education is available to meet the needs of the population of their area (Section 13 Education Act 1996).

Under Paragraph 5 Schedule 2 of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110 an enlargement of the school premises which increases capacity by either (a) more than 30 pupils; or (b) by 25% or 200 pupils (whichever is the lesser), needs to go through the statutory notice procedure. In this case the proposals to expand the main school and the nursery provision will require publication as the school will increase its capacity by 25% or more.

Furthermore in relation to provision for special educational needs in a mainstream school—

a change in the type, or types of special educational provision that is recognised by the local authority as reserved for children with special educational needs also requires publication of proposals. (Para 8 Schedule 2)

The proposals appear prudent in order to meet the Council's statutory duties.

The Decision maker should carefully take into consideration all of the responses to the informal consultation before deciding whether to implement these proposals.

Furthermore any representations made during the notice period will also have to be conscientiously considered before any final decisions are made.

FINANCIAL IMPLICATIONS AND RISKS

Funding is included within the Capital Programme as follows:

Mead expansion 3 FE to 4 FE	£ 3,000,000
Mead ARP	£ 375,000
Mead nursery expansion	£ 250,000
Total	£ 3,625,000

Costs are expected to be contained within the budgetary provision available.

Revenue Implications for schools

The revenue implications for primary schools are that, in creating additional classes from September 2018, additional resources will be incurred particularly for teaching and support staff. Schools' pupil-related funding is calculated each year based on the number of pupils on roll at the previous October census. As the expansions move through the schools' year groups, an additional class will be required in the school each year but the additional pupils arriving in September will not have been included

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in the previous October census for funding purposes. For the period September to March additional resources will need to be provided to meet the schools' additional staffing costs. The additional revenue funding allocated to schools will be met from a Pupil Growth Contingency held within the Schools Budget (funded by the Dedicated Schools Grant) as agreed by the Schools Funding Forum.

The Government is currently finalising arrangements for a national funding formula which may include a factor for pupil growth as proposed in the consultation document. Details are awaited on the funding that this will allocate to expanding schools should it be introduced.

The additional costs incurred by the school in providing an additional 30 nursery places will be met from the Early Years Block of the Dedicated Schools Grant based on a formula comprising of a basic hourly rate and an hourly rate reflecting deprivation. These rates will be applied based on the number of nursery pupils on roll throughout the financial year.

Funding for the additionally resourced provision will be met from the High Needs Block of the Dedicated Schools Grant. The amount to be allocated will follow consultation with the school to ensure that the pupils' needs are met.

Revenue Implications for local authorities

It should be noted that an increase in school admissions across the Borough may also have a 'knock-on effect' on other LA budgets such as Special Educational Needs, home to school transport, etc. Any pressures arising will be addressed through the appropriate channels.

Risks

Costs estimates are prior to any tender process and therefore may differ following the procurement process. Should cost estimates exceed the existing budgetary provision in the first instance it would look to be funded by a virement from within the overall schools expansion programme. Should this not be possible an alternative source of funding would need to be secured prior to the award of any contract.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The human resources implications for the schools to be proposed for expansion will be managed by the schools themselves. There is likely to be a need to recruit additional teaching and support staff and the relevant schools will undertake the recruitment and selection process in accordance with the appropriate policies and procedures. There are growing difficulties in recruiting to teaching posts and therefore schools will need to consider that additional resources and a longer recruitment timescale may be required to fill vacancies. The Havering Education HR service will provide support as appropriate and required to all schools, academies or free schools that purchase relevant services.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

An Equality Impact Assessment (EIA) has been carried out for Phase 4 expansions. The proposals in this report are assessed as having a positive impact on groups with a protected characteristic. This arises from providing additional local school provision which will be compliant with the latest regulations which promote accessibility and other inclusive measures. The EIA is included as **Appendix 3**.

BACKGROUND PAPERS

Appendix 1 – Decision-maker guidance

Appendix 2 – Responses to the Statutory notice

Appendix 3 – EIA

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed ✓

Delete as applicable

Proposal NOT agreed because

Details of decision maker

Signed 

Name: Robert PENHALL

Cabinet Portfolio held: Children & Learning

CMT Member title:

Head of Service title

Other manager title:

Date: 5/12/2017

Lodging this notice

The signed decision notice must be delivered to the proper officer, Debra Marlow, Principal Committee Officer in Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 5/12/2017.

Signed 

