



## CABINET

18 March 2015

**Subject Heading:**

**Commissioning Plan for Education Provision 2015/16-2019/20**

**Cabinet Member:**

**Councillor Meg Davis** – Lead Member for Children and Learning

**CMT Lead:**

**Joy Hollister** - Group Director, Children Housing and Adult Team.

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**Policy context:**

The Strategy has implications for all wards in the borough.

**Financial summary:**

No financial implications from approving the strategy, however there will be significant financial implicating arising from its delivery.

**Is this a Key Decision?**

Yes

**When should this matter be reviewed?**

November 2016

**Reviewing OSC:**

Children's Services

### SUMMARY

In Havering, we have seen an increase of over 33% in the number of births between the calendar years 2002 and 2013. The ONS live birth data for 2013 shows that all London boroughs experienced a drop in their birth rate from 2012 to 2013 apart from Havering which saw a 4% increase. While many London boroughs have already experienced the increase in birth rate which is now starting to plateau, for Havering we are still at the early stages of our increase in the birth rate and we need to implement the necessary capacity to accommodate the children of Havering requiring a school place for years to come. In 2013-14 we created 10 permanent forms of entry (FE) in Primary schools, together with 525 temporary places to cover short-term pressures for Primary age pupils.

The number of Primary age pupils is expected to continue rising significantly from 19,834 in 2013-14, to 23,333 in 2018-19, which is more than 3,000 extra pupils over the next five years and the number of pupils is projected to continue to rise

further. There will be a need to continue to make new provision available in some planning areas on both a permanent and temporary basis.

The number of Secondary age pupils (Years 7-11) in Havering schools is expected to rise significantly from 15,038 in 2014-15 to 1,8051 in 2023-24. Beyond this point the longer term strategic forecasts indicate a further increase in pupil numbers, although this estimate is heavily influenced by projections of new housing development beyond 2026.

This plan sets out our strategy to address this expected growth in pupil numbers. In addition, while the Council retains statutory responsibility for ensuring there are sufficient school places to meet the needs of the population in the area, there is now an expectation that local authorities will introduce Free Schools and Academies as new providers in areas of demographic growth, and that the Council will therefore become a commissioner of additional places.

This plan is intended to update the Cabinet on the latest school places data and set out the proposed approach to meet that growing demand for the next five years, in the context of new national expectations about this changing role. The plan is also intended to:

- help the school community understand the longer term population trends and the implications for their schools;
- let parents and the wider community of Havering know what changes are planned and how their views and preferences have contributed to key planning decisions;
- outline to potential sponsors of new schools, such as Academies and Free schools, contextual information about Havering's changing school population.

## **RECOMMENDATIONS**

That Cabinet:

1. Approve the draft Commissioning Plan for Education Provision (CPEP) in Havering 2015/16-2019/20;
2. Approve the circulation of the draft CPEP for consultation to all stake holders in school place planning;
3. Delegate the determination of the final CPEP, to the Cabinet Member for Children & Learning and the Group Director Children, Housing & Adult;
4. Note that a further report will be provided to Cabinet in September 2015, that will set out the details of each expansion scheme, the consultation process and indicative costs and funding for each scheme.

**REPORT DETAIL**

**1. Introduction**

- 1.1 By 2020 there will be around 21% more primary age children across the country compared to 2010. Between 2010 and 2015 all regions in England are projected to increase their primary aged population between 10% to 15%.
- 1.2 In Havering, the number of Primary age pupils is expected to continue rising significantly from 19,834 in 2013-14, to 23,333 in 2018-19, which is more than 3,000 extra pupils over the next five years and the number of pupils is projected to continue to rise further.
- 1.3 The number of Year 7-11 pupils in Havering Secondary schools has been declining in recent years from 15,422 in 2008/09 to 14,837 in 2013-14. Thereafter it is forecast to rise to over 18,000 through the period to 2023-24, an increase of 22% on current roll numbers.
- 1.4 This substantial change in primary and secondary population requires an agreed plan to enable the Council to continue to meet its responsibility for ensuring there are sufficient school places in the area.

**2. Early Years Education and Childcare**

- 2.1 The 2014/15 Childcare Sufficiency Report shows that there continues to be a surplus of Early Education Entitlement (EEE) places across the Borough, at least as far as 2020/21.
- 2.2 However the data show that there are potential shortfalls of places in the Mawneys, Hylands, Harold Wood, Gooshays, Rainham & Wennington, Brooklands, Romford Town and Cranham Wards. This will depend on actual take-up in these areas as not all children access the EEE and not all children that do, access this in their home ward.

**3. Primary Places**

- 3.1 The factors that have contributed to the rise in primary pupil numbers have been identified as the:
  - substantial increase in the number of births within the borough;
  - increase in the cohort growth between those born in Havering and those entering Reception as a result of pupils moving into the borough;
  - increase in the cohort growth across all primary year groups as a result of pupils moving into the borough.
- 3.2 From 2011 to 2014, 12 FE places have been delivered in Primary schools. In addition to this, a further 420 temporary places for Reception Year pupils have also been delivered to take account of the reduced provision of

permanent places. In total, an additional 2,700 permanent Primary school places have been created in all year groups from 2011/12 - 2015/16.

- 3.3 An additional 900 primary school places will need to be created to accommodate the growth in primary numbers up to 2018/19. There will be a need to continue to make new provision available in some planning areas on both a permanent and temporary basis.
- 3.4 Suitable schools are being selected for expansion according to the following criteria:
- they can be expanded as there is scope to create additional accommodation on site;
  - they are located accessibly to where there is increased pressure on places;
  - they are sufficiently educationally secure and resilient to have the capacity to manage a significant increase in size without adverse impacts on standards;
  - there is a clear aspiration on the part of the school to manage the expansion;
  - the expansion should provide good value for money.

#### **4. Secondary Places**

- 4.1 The projected increase in primary pupils will transfer to secondary schools. As a result we are forecasting at secondary level (11-16) that the overall number of pupils will increase by 1,229 (8%) by 2020/21 and to continue to grow further into the future.
- 4.2 The number of Year 7 pupils in Havering schools has fallen in recent years from 3,125 in 2008-09 to a low point of 2,829 in 2013-14. Thereafter, Year 7 rolls are forecast to rise to almost 3,800 through the period to 2023-24, an increase of over 33% on current roll numbers.
- 4.3 The current surplus capacity for Year 7 is 12% across Havering, however this varies across planning areas. By the end of the forecasting period (2023-24) there will be a deficit of around -16% deficit capacity in Year 7 across the borough (based on current capacity data), so plans to commission additional secondary school places will need to be brought forward in the coming years to address this situation.

#### **5. SEN Places**

- 5.1 Havering is shortly to introduce an SEN and Disability Strategy seeking to improve and re-focus the provision of school places for children with Statements of Special Education Need (SSEN) and to raise standards of performance.
- 5.2 Over the period of this plan we are projecting an increase of 11% in the number of statemented pupils attending mainstream primary schools. The increase is mainly in the number of children with ASD (Autistic Spectrum

Disorder), BESD (Behavioural, Emotional and Social Difficulties), SLCN (Speech, Language and Communication Needs) and MLD (Moderate Learning Difficulties).

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- 5.4 We are projecting an increase of 9% in the number of pupils attending special schools. Again the increase is mainly in the number of children with ASD (Autistic Spectrum Disorder), BESD (Behavioural, Emotional and Social Difficulties), SLCN (Speech, Language and Communication Needs) and MLD (Moderate Learning Difficulties).
- 5.5 It will be necessary during the life of this plan to review the capacity and delivery options for Special Schools and other specialist provisions, including those for 16-25 aged learners. Any changes should be included in the strategies for change alongside planning area and authority-wide mainstream expansions in primary and secondary school places following increased pupil demand.

## **6. Admissions**

- 6.1 Since 2005, Havering has been part of the Pan-London Admissions Scheme which simplifies the application process for Primary and Secondary school admissions and increases the number of pupils who receive an offer from one of their preferred schools. Parents fill in a single application form even if they are applying to schools in more than one borough. They put down up to six schools in order of preference and submit the form to the borough where they live.
- 6.2 Their application is then considered under the equal preference system. This means local authorities consider all preferences without reference to the order listed by the parents. Each child is considered separately for each school using its admission criteria to decide whether or not they can be offered a place. If more than one school can offer a place, the local authority will allocate the highest ranked school listed in the parents' preferences. Every time a multiple offer is eliminated an offer can be made to another pupil who would otherwise have received a less satisfactory offer or no offer at all.
- 6.3 London is unique in that nowhere else in the country has such a large volume of applications to so many schools. The capital's dense population means there is always a lot of movement across local authority boundaries. This is reflected in the preference statistics. While some boroughs might not be offering as many first preferences to their residents as other authorities do, they may well be meeting a high proportion of first preferences for pupils

from neighbouring boroughs. Local authorities are prohibited from giving their own residents priority.

- 6.4 For example, a school located near the border of two boroughs, which uses geographical distance from home to school as one of the criteria for its admissions policy, may take more pupils from a neighbouring borough than from its own borough. Boroughs within travelling distance of a number of very popular selective schools or denominational schools will have a lower percentage of resident pupils receiving their first preference because of the higher level of competition for places at those schools.

## **7. Next steps**

- 7.1 We are asking the Cabinet to approve the draft CPEP. The CPEP would then be circulated for consultation with schools, parents, the Dioceses and all other school place planning stakeholders. Following the end of the consultation period the CPEP Strategy would be revised appropriately and then subject to approval by Lead Member be circulated as the approved CPEP for the next five years.

<b>Key Milestones</b>	<b>Date</b>
Cabinet decision on Draft CPEP	18 March 2015
Consultation Period	April – June 2015
Decision by Lead Member and Group Director on Final CPEP	September 2015
Circulation of approved strategy	September 2015

## **REASONS AND OPTIONS**

### **Reasons for the decision:**

This decision is necessary to progress the strategy for ensuring there are sufficient school places in Havering to meet the rising pupil population.

### **Other options considered:**

It was considered that the Council could proceed with the expansion programme without an agreed CPEP in place. However as the Council is in the leadership role for this major and long term expansion programme it should be consulting with stake holders on its proposed strategy for meeting the challenge of the rising school population and in so doing reduce the risk of these plans being unsuccessful.

## **IMPLICATIONS AND RISKS**

### **Financial implications and risks:**

Approval of the draft strategy, which sets out the authority's aims and aspirations for education provision in the borough does not give rise to any financial implications. However, implementation of the strategy will have significant financial implications. The most significant of these being capital costs arising from the delivery of additional school places and the associated revenue implication once these places are filled. These are summarised below for information.

### **CAPITAL**

The Councils Capital programme includes £21m for delivery of phase 2 of the primary expansion programme. Some of this is committed and some remains available for delivery of further places. In addition there is also £15m included for phase 3 of the expansion programme and recently a further £16.7m of grant has been awarded for 17/18.

Until details plans for the provision of additional schools places are formulated it is difficult to say whether this funding will be sufficient to meet the costs arising. However, given that there will be a need to provide both SEN and secondary places in the future, which are more costly than the primary places delivered in the past, it may well be that further funding is required.

Potential options for bridging any funding gap are as follows:

- S106 contributions / Tariffs/CIL
- Contribution from the DSG as agreed by the Schools Forum
- Further grant allocations
- Council Receipts

The financial implications of the whole school expansion programme will be kept under review as details plans for the delivery of additional places becomes clearer. This will consider the estimated capital cost and funding sources plus the revenue implications of schools and the local authority. Any significant issues will be reported through the appropriate channels as necessary. It is expected that an update will be provided to Cabinet in September.

### **REVENUE**

#### **Revenue Implications for schools**

The revenue implications for schools are that in creating an additional class, additional resources will be incurred particularly for teaching and support staff. For each financial year schools are funded on the basis of pupil numbers (as well as

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some other funding factors) as at the previous October census date. Therefore, pupils admitted during the year are unfunded until the financial year that follows the October in which they are on roll. Where schools have committed to open additional classes to accommodate these pupils, additional resources will need to be provided. These 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 demand for increased funding to be held as a pupil growth contingency from a ring-fenced DSG may result in less funding being available for distribution to schools putting at risk the ability of schools to maintain current levels of expenditure. Schools are, however, guaranteed through DFE financial regulations to not have their funding reduced by greater than 1.5% per pupil.

Additional provision for pupils in special schools is met from the High Needs Block of the DSG. The LA has bid for additional funding from the Education Funding Agency to meet the place led element of the additional provision.

### **Revenue Implications for the Local Authority**

An increase in school admissions across the Borough may also have a 'knock-on effect' on other budgets such as free school meals, home to school transport, pupil referral units. Any pressures arising will be addressed through the appropriate channels as the needs arise.

### **Legal implications and risks:**

The draft CPEP will be subject to consultation. It is critical to a sound consultation that it is meaningful, in other words the consultees must be given sufficient information and time to comment and their responses must be conscientiously taken into account by the decision maker before the decision is taken to finalise the CPEP.

The Council has a statutory duty to secure that efficient primary and secondary education are available to meet the needs of the population of their area. (Section 3 Education Act 1996). It is clear that without a strategy to increase the provision within the Borough over the next few years the Council may fall into breach of its statutory duty. Under Section 6A Education and Inspections Act 2006 if a local authority in England consider that a new school needs to be established in their area, they must seek proposals for the establishment of an Academy. The CPEP indicates that new schools are likely and as and when this arises officers will be provided with detailed legal advice.

Individual proposals will need to be submitted to Cabinet for all those schools requiring statutory approval to expand their accommodation to admit additional pupil numbers i.e. above 30 pupils or 25% of all school places. Detailed legal advice will be provided on individual cases as they arise.

### **Human Resources implications and risks:**

As a result of a decision supporting the expansion programme, there is likely to be



a need to recruit additional teaching and support staff within the relevant schools. These schools will directly manage the recruitment and selection process in accordance with the existing and relevant HR policies and procedures. Schools' HR support in relation to these processes will be provided as appropriate. The Education HR service will assist in supporting the recruitment and retention of additional staff as appropriate.

**Equalities implications and risks:**

An Equality Impact Assessment (EIA) was conducted for Phase 2 of the Primary Expansion Programme and an EIA will be undertaken for this phase of the Expansion programme as the proposals are developed to fully assess their impact on children with protected characteristics and their families.

The decision to initiate formal consultation will provide the opportunity to gather the views of all interested parties and may help to identify potential equality and social inclusion related impacts or risks at an early stage, prior to implementation. The consultation feedback will be used to inform the Equality Impact Assessment for this phase of the expansion programme to ensure all equality impacts are fully assessed and mitigating actions are identified.

**BACKGROUND PAPERS**

- Draft Commissioning Plan for Education Provision 2015/16-2019/20
- Havering School Planning Data Pack Spring 2014