



Havering

LONDON BOROUGH

This Report is part exempt and Appendix A and D are not available for public inspection as they relate to exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972. They are exempt because they refer to information relating to the financial or business affairs of any particular person (including the authority holding that information, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information).

CABINET

Subject Heading:

Outline Proposals to address Early Years, Primary, Secondary, SEND and AP rising rolls – Update to Phase 5 expansion Programme

Cabinet Member:

Councillor Oscar Ford, Cabinet Member for Children & Young People

SLT Lead:

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Policy context:

The recommendations have implications throughout the Borough

Financial summary:

Capital Cost of £70m will be funded from a combination of Basic Need allocation, unallocated capital budget from earlier phases, SEND Capital grant and S106 housing development contributions.

Revenue implications for schools will be funded from the DSG.

An increase in pupil numbers may also have a knock on effect on other local authority budgets. These will be raised

through the appropriate channels as necessary.

Is this a Key Decision?

Yes as expenditure arising from implementation of the recommendations is likely to exceed £500,000

When should this matter be reviewed?

November 2024

Reviewing OSC:

People OSSC

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

People - Things that matter for residents **X**

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place.

SUMMARY

1. The report seeks Cabinet's approval of the commissioning strategy to implement the next phase of the expansion programme to manage the forecast increase in early years, primary, secondary and SEND pupil numbers beyond the current updated Phase 4 of the Council's School Expansion Programme.
2. Although many other London Boroughs and urban areas are currently experiencing a plateau or decrease in demand for primary school places, Havering is still forecasting growth. This increase in demand is due to an increase in the number of families moving into the borough and continuing growth in housing development.
3. Phase 5 of the Schools Expansion Programme sets out proposals for capital investment of £70m to provide for expansion of school places in those areas where there is clear evidence of sustained growth in need over the next five years. The investment will be funded from a combination of basic needs allocation, unallocated capital budget from earlier phases, SEND capital grant and S106 Housing Development contributions.
4. This rise in demand in Primary and SEND means that the Council needs to do two things:
 - Find ways to absorb the immediate extra demand for places, while protecting the Borough's excellent reputation for good schools – which is already well underway.
 - Plan for a longer term growth in pupil numbers to meet demand from new housing and a growing population and establish new schools as and when required.
5. The recommendations take account of the very wide resident, parent and stakeholder consultation outcomes of the Council's agreed [Children & Young People Education Place Planning Plan 2023-2027](#).
6. Approval of the recommendations will enable officers to undertake consultation with stakeholders including encouragement of new Free Schools where appropriate, and ensuring value for money, as part of the Council's strategy of ensuring that there are sufficient school places to meet likely future demands.

RECOMMENDATIONS

That Cabinet:

1. **Agree** Phase 5 school expansion programmes should continue to be developed based on the following approach in line with the decision on the [Children & Young People Education Place Planning Plan 2023-2027](#)
 - i. To have a preference for expanding **existing popular and high-performing schools** and inclusion of nursery provision and SEND units where appropriate and in areas where there are no schools with high surplus capacity.
 - ii. To consider the expansion of existing schools, but only to a maximum size of 4FE in the primary phase, ensuring at all times that high standards of education are paramount.
 - iii. To consider the delivery of additional primary and secondary places as a result of major regeneration through establishment of new schools.
2. **Agree** that in respect of all proposals set out below that all relevant statutory processes, including planning, should be followed and where the process is the responsibility of an Academy to provide all necessary support. Where consultation is necessary the proposals below are subject to the outcome of such consultation.
3. **Approve** the detailed stage 1 programme of works totalling £70m to fund Phase 5 of the Schools Expansion Programme from 2023/24 to 2026/27, noting that this is fully externally funded.

The Phase 5, Stage 1 detailed programme includes:

Increase in Primary Places including implementation of:

- 3.1.1. The establishment of one-off bulge classes as an interim measure to increase primary places between 2023/24 and 2026/27.
- 3.1.2. The opening of Bridge Close school a year earlier in September 2026 in temporary accommodation.

3.2. Increase in Secondary Places including implementation of:

- 3.2.1. 2FE permanent expansion at one or two secondary schools in the Central planning area by 2026/27

3.3. Increasing SEND Places

3.3.1. Primary SEND Places

To approve SEND Units to be implemented for primary children at the following schools:

Primary	Designation of Unit	No of places
Harrow Lodge Primary School	SEMH	12
Harold Wood Primary School	ASD & SLCN	12
Newtons Primary School	SEMH	12

SEMH – Social, Emotional and Mental Health
ASD – Autistic Spectrum Disorder
SLCN – Speech, Language and Communication

To expand the existing SEND provision at RJ Mitchell Primary School from 21 to 40 places

3.4.2 Secondary SEND Places

To approve SEND Units to be implemented for Secondary pupils at the following school:

Secondary	Designation of Unit	No of places
Sanders Draper Academy	SEMH	20

3.4.3 Special Schools

To approve the LA to deliver a 300 place new all through free special school to meet the needs of children and young people aged 4-19 years who have complex or severe ASD, SEMH and SLD needs by September 2027.

SLD – Severe Learning Difficulty

- To approve use of Balgores Field site for the proposed new special free school (subject to all necessary permissions being obtained to do so i.e., planning, property etc.).

- To approve for the LA to start the presumption process. Presumption projects are funded and delivered by local authorities in response to their sufficiency duty. The LA is expected to:
 - (a) determine the specification for the new school
 - (b) lead and fund the capital project including the delivery of the site and the buildings solution;
 - (c) work with the approved sponsor during the pre-opening phase to undertake effective risk management , including dealing with any unforeseen issues and agreeing appropriate mitigating actions with the successful sponsor; and
 - (d) take joint accountability for ensuring the school opens successfully.

To agree and implement with Lime Trust, the increase of capacity at Lime Academy Forest Approach so that the school can increase their pupil intake from 120 to 150.

4. **Note** the detailed provisional Stage 2 programme of works (2027/28) totalling £10.5m which will be dependent on further external funding being awarded. Approval will be sought by cabinet once external funding has been confirmed.
5. **Delegate** the power for Phase 5 of the Expansion Programme to the Lead Member for Children & Learning:
 - To take further decisions regarding the implementation of these proposals and the approval of which schools should be expanded including any amendments to the proposals above, such as a decision not to proceed or to expand a different school, in the light of developing circumstances or the results of consultation (subject to the appropriate statutory processes).
 - To approve alternative sites for the special free school, in the event Balgores site is not suitable or not agreed as an approved site for the special free school.
6. **Delegate** to the Director of Asset Management authority to submit planning applications after consultation with planning officers, commission all associated surveys/investigations (including transport assessment, soils survey, environmental check etc.) and commence tender processes as required to support the development of options appraisals to deliver Phase 5 expansions required- noting that tender awards will remain the subject of separate Executive Decision(s).
7. **Delegate** to the Assistant Director of Education authority to select proposers for new schools and make recommendations to the Secretary of State for Education in respect of free school processes.

REPORT DETAIL

1. Introduction

- 1.1. The Census 2021 data published by the Office for National Statistics, shows the recorded population in Havering has increased in the last decade by 24,800 (10.4%), from around 237,200 in 2011 to 262,000 in 2021- the largest population ever recorded through a census in Havering. The growth in Havering is higher than our nearest statistical neighbours (7.9%), London (7.7%) and England (6.6%) but lower than the North East London (NEL) region (11.1%).
- 1.2. The biggest growth has been seen in 25 to 39 year olds (an increase of 26.5%) and young children, with the 0-4 age group in Havering seeing the second highest growth of all local authorities in the country.
- 1.3. In Havering, we have seen an increase of 52% in the number of births between calendar years 2002 to 2016. This includes a 19% increase in the birth rate from 2012 to 2016. However since the birth rate peaked in 2016, we have seen a year on year reduction in the birth rate in Havering, with the birth rate decreasing by 11% between 2016 to 2021.
- 1.4. However there is some early evidence that the birth rate in Havering may be starting to plateau; the 2020/21 academic year actual birth rate as supplied by the ONS was 3053, the academic year birth rate in 2021/22 was 3067. This indicates that the year on year decline in the birth rate in Havering may be coming to an end.
- 1.5. Despite the lower birth rate, Havering continues to receive a high number of in-year applications for school places. Between mid-August 2022 and the start of January 2023, Havering saw a 58% increase in the volume of in-year applications received compared to the same period two years earlier. Over this period, there has been a 160% increase in the volume of in-year applications received from applicants who state that they live in Havering, but are new to the UK. This means that the sufficiency of school places needs to be balanced to ensure that enough school places are available to accommodate in-year demand.
- 1.6. In September 2019, Cabinet approved a school expansion programme – Update to Phase 4 and Phase 5 expansion programme. Due to COVID and declining birth rate in Havering most of the proposals detailed in that programme were not progressed. Only two proposals in that programme relating to increasing SEND places were taken forward.

2. Early years need

2.1. The following outlines the planned Early Years provision due to open:

- A 30 place nursery on Beam Park School for 2, 3 and 4 year olds from 2024/25
- A 47 place nursery on Bridge Close for 2, 3 and 4 year olds from 2027/28

2.2. At the Spring Budget 2023, the Government announced the 30 hours entitlement will be extended in stages from April 2024 to children aged nine months to three years in England. Eligibility will match the existing entitlement: it will be available only for the children of working families. Roll out of the new entitlement is occurring in phases:

- **Phase 1:** April 2024 - 15 hours of childcare over 38 weeks of the year made available to eligible parents of **two-year-olds**
- **Phase 2:** September 2024 - 15 hours of childcare over 38 weeks of the year made available to eligible parents of **9-month to 36-month-olds**
- **Phase 3:** September 2025 - 30 hours of childcare over 38 weeks of the year made available to eligible parents of **9-month to 36-month-olds**

2.3. The following table contains an initial projection showing the potential impact of the roll out on childcare places in Havering. As can be seen, we will potentially exhaust our current number of childcare places when the offer is increased to 30 hours of childcare.

Roll out	Year	9 months-36 months	Potential Deficit
Phase 1	2023/2024	1964	3409
Phase 2	2024/2025	3783	1872
Phase 3	2025/2026	6992	-1297
	2026/2027	7054	-1370
	2027/2028	7069	-1386

2.4. However, the above is only an initial projection of potential eligibility and contains many assumptions in the absence of an actual trend regarding take up of the extended childcare entitlement. As such, the above should be treated as one potential scenario regarding the extended entitlement roll out in Havering.

2.5. The DfE has yet to make any announcement regarding capital funding associated with the extended entitlement and therefore there are no proposals within this report concerning the extended entitlement roll out. Once any capital announcements have been made, any proposals will be the subject of a future cabinet report.

3. Primary school place need

- 3.1. In Havering, the birth rate peaked in 2015/16 and has declined year on year since. This has resulted in lower Reception intakes in 2021/22, 2022/23 and 2023/24 following the peak intake in 2020/21.
- 3.2. Alongside the declining birth rate, Havering has also seen a decline in the birth to reception rate; that is the number of reception pupils in Havering primary schools compared to the number children born in the borough five years earlier. Typically, the historical birth to reception rate was on average 110%- meaning that the reception intake represented 110% of the birth rate 5 years earlier.
- 3.3. Over the last five years the birth to reception rate has reduced to an average of 100%, meaning that reception intakes have had the double impact of lower birth rates coupled with a lower proportion of the birth rate expected to start reception at a Havering primary school.
- 3.4. However what has changed recently is the way cohorts grow year on year as they move through the primary phase. This is illustrated in the table below:

	Reception number on roll 3 years earlier	Year 3 number on roll	Difference
2020/21	3298	3262	-36
2021/22	3199	3264	65
2022/23	3273	3375	102
2023/24	3422	3580	158

*The year 3 number on roll for 2023/24 is taken from admissions data.

- 3.5. The above shows that in 2020/21 the year 3 roll was 36 pupils lower than the corresponding reception intake, meaning that the cohort had lost pupils between reception and year 3. However when we look at the latest number on roll data for year 3 in 2023/24 and compare it to the corresponding reception intake, we can see that the cohort has grown by 158 pupils or 5 classes.
- 3.6. This growth in cohorts as they move through the primary phase is a significant change in a short space of time. The growth can likely be attributed to more families moving into Havering mid-year requiring a school place. We have been able to accommodate this growth for the last few years as capacity was available in the system.
- 3.7. However as cohorts grow and we continue to receive more applications for school places, we have begun to run out of available school places in certain year groups and planning areas.

3.8. As such, there is now a need to implement bulge classes in order to enable us to meet this ongoing demand for school places and ensure that we continue to meet our statutory duty to place children in schools.

3.9. To meet the need for primary places between 2023/24 and 2026/27, what is being proposed is primarily a strategy comprising of one-off “bulge” classes. Bulge classes have been deemed an appropriate way to address the need for places in these years as they provide a one-off solution to what is likely to be a short term problem as the birth rate is decreasing which will lead to lower reception intakes for future years. The fact that this is likely to be a short term issue is also underlined by the fact that additional primary school places will be introduced in Havering through planned new schools due to open.

3.10. The need for additional primary school places from 2023/24

In Havering the birth rate peaked in 2015/16 and has declined year on year since. This has resulted in lower Reception intakes following the peak intake in 2020/21.

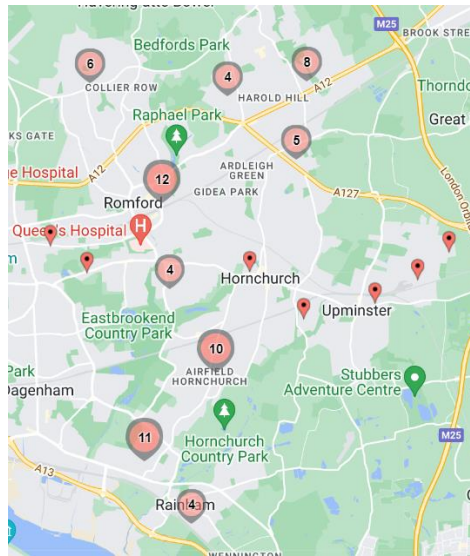
However at the start of the 2023/24 academic year we have seen a number of school planning areas with year groups that have run out of places. This is outlined in the table below as the number of forms of entry needed for each year group/planning area. A 1 in the table below indicates one class is needed in this year group, i.e. one class equals 30 pupils:

<i>Need for places 2023/24</i>	Rec	1	2	3	4	5	6
Collier Row							
Elm Park and South Hornchurch				0.3			
Harold Hill							
Hornchurch				0.3			
Rainham	1						
Romford		1	1	0.4			
Upminster and Cranham							

3.11. Options to meet the above need:

- **Rainham-** a bulge class in reception at Rainham Village Primary School
- **Romford-** a bulge class in year 1 and year 2 at a school in Romford

3.12. In addition to the above, we also have a need for additional year 3 places not limited to a particular planning area. The following map shows the pattern of year 3 applicants that we were unable to offer a place to due to lack of available school places locally:



3.13. As can be seen the unplaced year 3 applicants are spread across Havering, centred around the Hornchurch area. As such it was decided that the best way to place these year 3 applicants was to implement a bulge class at Harrow Lodge Primary School in Hornchurch in order to meet this demand. At the time of writing, the year 3 bulge already has 21 children allocated.

<i>Need for places 2024/25</i>	Rec	1	2	3	4	5	6
Collier Row							
Elm Park and South Hornchurch							
Harold Hill							
Hornchurch							
Rainham	1	0.5	0.5				0.5
Romford		1					
Upminster and Cranham							

3.14. Options to meet the above need:

- **Rainham-** the need in this area can be met by the Emmanuel Community School on Beam Park, which will open in September 2024.
- **Romford-** to meet the need in this planning area the proposal will be to implement a bulge class. Romford is due to have a new 3FE school open as part of the Bridge Close development, however this is not due to open until September 2027.

3.15. In addition to the above, in **Romford** there is also a:

- 1FE need in year 1 and a 0.5FE need in year 2 in 2025/26. This need will be monitored in future updates of the school roll projections and bulge classes implemented if needed.

- 1FE need in reception, 1FE need in year 1 and 1FE need in year 2 in 2026/27. This need will be met by opening Bridge Close a year earlier in September 2026 in temporary accommodation.

The above proposals should address the need for places until the planned new schools in Havering open as follows:

Provider/School	Education Phase	Places	Scheduled to Open
Emmanuel Community Trust	Primary Phase	420	Sept 2024 – Beam Park site
Unity Learning Partnership	Primary Phase	630	Sept 2027 - Bridge Close housing development site

3.16. As the new 3FE school on Bridge Close is due to open in September 2027, permanent solutions to meet the need in the Romford planning area up to 2026/27 are not being sought at this stage. To best meet the 2026/27 need in Romford planning area, we propose implementing the opening of the Bridge Close school a year earlier in September 2026 in temporary accommodation. The site for the temporary accommodation needed for this proposal has yet to be identified.

3.17. The school place planning team will continue to oversee School Organisation issues, monitoring each new release of school rolls and projections throughout the year to assess how schools can continue to be supported during this period of fluctuating demand for school places.

4. Secondary school place need

4.1. The need for additional secondary school places from 2023/24

Planning Area	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30
North	1	1	1	1	2	2	2
Central				1	5	3	4
East							
South							

4.2. Both schools in the North planning area have already undergone permanent expansion; Redden Court has expanded by 2FE and Drapers' Academy has expanded by 1FE having declined to expand further. Therefore, the need for places in this planning area will have to be met by available places in the neighbouring Central planning area.

4.3. The projected need in the Central planning area begins in 2026/27; however, this is linked to housing in the area being delivered.

- 4.4. The 2027/28 year 7 intake represents the peak primary cohort transferring to secondary school and it is expected that after this year the year 6 cohorts transferring to secondary school in following years will be smaller.
- 4.5. In the secondary phase, current projections indicate that there is no immediate demand for a new secondary school in Havering, as earlier projections had indicated, and as the future demand is linked to housing being delivered, plans for a new secondary school have therefore been paused.
- 4.6. As it is expected longer term that there will be smaller year 6 cohorts transferring to year 7 resulting in smaller year 7 intakes, it has been decided to address the deficit of places with bulge classes.
- 4.7. Another option is review the PANs of those Academies that have previously reduced their PAN due to not filling to capacity, with a view to reinstating their original higher PAN. This will create more capacity in the secondary phase. This proposal is dependent on the agreement of the relevant academy trusts.
- 4.8. In addition, due to plans for a new secondary school being paused, it has been decided that 2FE permanent expansion should be implemented at one or two schools in the Central planning area in 2026/27.
- 4.9. Bulge classes will also be used to meet the need in the secondary phase where needed.
- 4.10. Nevertheless, we will closely monitor the year 7 intakes for future years and if it appears that the growth in year 7 in 2027/28 will be sustained, we will need to start discussions about the need for a new secondary school.
- 4.11. Options to meet the above need:
 - **Central-** 2FE permanent expansion at one or two secondary schools in this area in 2026/27.

5. SEND place need

5.1. The need for additional SEND places from 2023/24

In 2020, there were 1894 children aged 3-25 living in Havering who had an Education, Health and Care Plan (EHCP). This has increased by over 500 pupils in 2023.

- 5.2. We are seeing increasing numbers of children and young people with SEND in the borough and also increases in the complexity of presenting need. The table below shows projections for Havering pupils with an EHCP attending a Havering or out borough Primary, Secondary, Special school and Post 16 provision at the end of the academic year.

- 5.3. The number of EHCP's is forecast to increase for all four main SEND types with Communication and Interaction and Social, Emotional and Mental Health needs (SEMH) due to see the highest growth.

Academic year	Cognition and Learning	Communication and Interaction	SEMH	Physical and/or Sensory	Totals
2020/21	544	905	272	173	1894
2021/22	574	1057	312	195	2138
2022/23	562	1251	385	204	2402
2023/24	592	1354	381	205	2533
2024/25	621	1525	418	215	2779
2025/26	631	1702	438	227	2998
2026/27	645	1891	452	246	3234
2027/28	655	2082	451	264	3452
2028/29	673	2269	448	280	3670
2029/30	691	2433	448	292	3864

Please note:

Cognition and Learning includes Moderate Learning Difficulty (MLD), Profound and Multiple Learning Difficulty (PMLD), Severe Learning Difficulty (SLD) & Specific Learning Difficulty (SpLD)

Communication and Interaction includes Speech, language and Communication (SLCN) and Autistic Spectrum Disorder (ASD)

SEMH includes Social, Emotional and Mental Health (SEMH)

Physical and/or Sensory includes Visual Impairment (VI), Hearing Impairment (HI), Multi-Sensory Impairment (MSI) and Physical Disability (PD)

- 5.4. The table outlines the planned SEND provision due to open in 2023/24 and 2024/25:

School name	Number of places	SEND need type	To open
St Edwards C of E Primary School	12	Communication and Interaction	2023/24
Bower Park Academy	12	Sensory impairments (Hearing or visual)	2023/24
The Compass School	60	Communication and Interaction Needs (C&I) and Social, Emotional and Mental Health (SEMH)	2023/24
Suttons Primary School	12	Social, Emotional and Mental Health (SEMH)	2024/25
Harris Academy Rainham	20	Autistic Spectrum Disorder (ASD)	2024/25

- 5.5. Our vision is for children and young people with special educational needs and disabilities (SEND) to enjoy their education in the most inclusive environment possible, and be supported in participating as fully as they can in the lives of their schools and local community.
- 5.6. Our lack of special school places mean that some children who really need these places, are either supported inappropriately in mainstream, have to go to out-of-borough special schools (if we can find places), or as a last resort are on part-time timetables or are out of school with tutors or alternative provision. The number of children going to out-of-borough schools has increased, although these places are becoming harder to

find due to similar pressures across the whole system. Where we do find places, we then need to provide transport and this is currently costing in excess of £3m. The numbers of complaints regarding lack of special school places are significantly increasing.

- 5.7. Given the scale of the increase in children and young people with SEND projected, additional SEND provision will be needed in Havering in order to meet the needs of its residents. Not only are the numbers of children and young people with SEND increasing, but the complexity of their SEND needs are also becoming more severe.
- 5.8. As such, it is proposed that Havering build a new 300 place special school on the playing field off Balgores Lane, to the rear of Gidea Park Library.
- 5.9. The playing field off Balgores Lane has been identified as a suitable site for the proposed special school as it is a large, under used, piece of open land suitable because of its size, with a central location with good transport links. The field isn't currently accessible to the public and use of the land is restricted by a covenant for the purposes of education use. Utilising the site for a new school would be an appropriate use within the covenant. The southern half of the site is occasionally used by Squirrels Infant & Junior Schools - this will continue if the special school is built.
- 5.10. The new special school would cater for pupils aged 4-19, with ASD, SEMH and SLD SEND needs and would have a proposed opening date of September 2027.
- 5.11. The creation of 300 additional places at a new special school within the LA will result in fewer pupils being placed at more costly provision outside the borough than would otherwise be the case. The lack of local provision has also contributed to the LA forecasting a growing High Needs Budget pressure. Our current provision in Havering is not sustainable and we desperately need a new special school.
- 5.12. A new 300 place special day school will enable us to meet future demand in line with the growing number of children and young people with SEND in the borough. It will allow us to release some of the pressure on our mainstream schools without jeopardising our culture of promoting and delivering inclusive education.
- 5.13. It will drive up the quality of experience and outcomes for our young people with SEND. More of them will be able to access a local special school environment, better suited to their needs. Mainstream settings will be able to focus more on delivering high quality provision for children with complex needs that do not meet a threshold for special school rather than the constant firefighting and feeling that they are operating out of their depth.

- 5.14. The presumption process for delivering the new special free school on Balgores playing field is attached as Appendix C. Details regarding the cost can be found in Appendix D- Balgores Special School – Draft Cost Estimate.
- 5.15. In addition to the proposed new special school, to meet the need for SEND places we also have plans to implement 36 places at SEND units at primary schools and 20 places at a SEND unit at a secondary school.
- 5.16. We will also increase the capacity at Lime Academy Forest Approach in order to enable the school to admit 150 pupils as they previously had to reduce the number of pupils to 120 due to lack of suitable accommodation.
- 5.17. A further cabinet report will be submitted to cabinet regarding the Phase 2 of the SEND unit programme totalling 24 places at SEND units at primary schools and 60 places at SEND units at secondary schools, once the external funding has been awarded.

6. Alternative Provision (AP) places

6.1. Pupils referred to AP – actuals and projections to 2027/28

Academic year	Autumn	Spring	Summer	Total
2020/21	93	41	46	180
2021/22	75	67	49	191
2022/23	77	80	36	193
2023/24	92	89	50	230
2024/25	93	90	51	234
2025/26	94	91	51	236
2026/27	95	92	52	238
2027/28	95	93	52	240

- 6.2. As shown in the table above we are also projecting an increase of 33% in the number of pupils requiring an educational entitlement in alternative provision from 2020/21 to 2027/28.
- 6.3. To meet the projected demand for AP places, we have applied for a 150 place all through AP free school through Wave 2022 with KORU as the Lead provider. We are awaiting the outcome of this application.

REASONS AND OPTIONS

7. Reasons for the decision:

- 7.1. This decision is necessary to ensure the provision of sufficient school places to meet the forecast rise in early years, primary, secondary and SEND pupil numbers projected beyond, updated to Phase 4 of the Council's Programme of School Expansions.
- 7.2. **Other options considered:**

There are in theory many different options for expanding existing provision, however, given the expansions that have been happening over the previous four phases the proposals set out in this paper are the only ones considered realistic at the current time. So far none of the options set out in this Report have been rejected.

Not providing any additional places is not an option as we would be failing to meet our statutory duties.

IMPLICATIONS AND RISKS

7. Financial implications and risks:

7.1. Capital Expenditure

- 7.1.1. Phase 5 of the Schools Expansion Programme sets out proposals for capital investment of £70m to provide for expansion of school places in those areas where there is clear evidence of sustained growth in need over the next four years. Appendix A – Table 1 summarises the proposed expansion programme for Primary, Secondary and SEND across the planning areas within Havering.
- 7.1.2. The estimates of capital costs for the major developments have been provided by the Technical Services team and have been costed based on standard DfE build criteria and contract rates. Any additional capital to fund requirements over and above the DfE approved design would have to be met from either the authority or other sources.
- 7.1.3. A small provision of £480,000 is included to support the temporary bulge class arrangements between 2023/24 and 2026/27, for certain schools.

- 7.1.4. The investment will be funded from a combination of basic needs allocation, unallocated capital budget from earlier phases, SEND capital grant and S106 Housing Development contributions. The sources of the funding and total provision are set out in the table below. The authority has secured and set aside £70m of this funding which is not dependent on future allocation or additional sources of grants or receipts.
- 7.1.5. The largest source of funding, £21.9m is from Basic Need Allocation which was announced in May 2018 to meet demand for places needed by September 2021 and £19.6m announced in March 2023 to meet demand for places by September 2026.
- 7.1.6. The SEND Capital Grant is from Government capital funding allocation to Havering for 2021-24 - £12.3m to support school places for children with Special Education Needs (SEN) and disabilities (children with Education, Health and Care Plans (EHC plans)).

7.2. Revenue Expenditure

- 7.2.1. The additional revenue costs for the increased demand will be met from the Dedicated Schools Grant (DSG).
- 7.2.2. The range of additional provision within this report will mean that irrespective of nature of the provision all providers will need to appoint additional staff and provide other resources. As highlighted above the additional funding will be allocated from one of three blocks of the Dedicated Schools Grant (DSG): Early Years, Schools or High Needs depending on the nature of the provision.
- 7.2.3. In terms of high needs provision, it is expected that the increase in local provision is expected to result in revenue costs being lower than they would otherwise be if pupils had to be placed in costly out of borough provision.
- 7.2.4. In terms of mainstream school places, there is a time lag between a rise in pupil numbers and additional funding in the main Schools Block of the DSG. Funding for the financial year is based on numbers at the previous October census. Where a school is expanding, or has been asked to take a bulge class, additional funding will be required during the course of the financial year. The LA receives a formula based supplement to the Schools Block that is intended to cover these additional costs.

- 7.2.5. 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 and the demand for alternative provision and support services. Any pressures arising will be addressed through the appropriate channels as the needs arise.

8. Legal implications and risks:

- 8.1. The Council has a statutory duty to secure that efficient primary education and secondary education is available to meet the needs of the population of their area (Section 13 Education Act 1996).
- 8.2. At present certain types of school organisational change (including change of age range, change of character, expansion through enlargement of premises, increase/decrease or change of provision for pupils with special educational needs) are subject to statutory processes of consultation and decision-making.
- 8.3. A number of the recommendations require the Local Authority to bring forward proposals which must be the subject of statutory notifications. In such cases the Authority should ensure that it conscientiously considers the responses to the statutory process before making any final decisions. As such the recommendations which require statutory consultation should not be considered to be finalised until the outcome of the consultation is known and a fresh decision has been made following that.
- 8.4. Academies wishing to expand, make age range changes (by up to two years), add boarding provision or amend admissions need to seek approval from the Secretary of State, through the ESFA, to make such changes.
- 8.5. Use of existing playing fields for construction of a new school will require permission from The Secretary of State.
- 8.6. If the Council decides to propose a new school this will need to be planned together with the DfE to introduce an Academy Trust to manage it.
- 8.7. The recommendations which set out the guiding principles for the Council to address the rising school roll issues are of a generic nature and have been approved already by Executive decision and there is therefore no reason to make a new decision about these.
- 8.8. As and when individual decisions come to be made legal advice is likely to be necessary.
- 8.9. In respect of any proposed lease of property the terms under which the Council is to enter into the lease should be approved by the Director of Asset Management. The powers to enter into the lease exist under s1 Localism Act 2011 and section 120(1)(a) Local Government Act 1972

9. Human Resources implications and risks:

- 9.1. 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.
- 9.2. The Havering Education HR service will provide support as appropriate and required to all schools, academies or free schools that purchase relevant services.

10. Equalities implications and risks:

- 10.1. The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have due regard to:
 - (i) the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - (ii) the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
 - (iii) foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are: age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

- 10.2. An equality impact assessment was carried out as part of the approval of the [Children & Young People Education Place Planning Plan 2023-2027](#), attached as Appendix B.

11. Health and Wellbeing implications and Risks

- 11.1. There are no health and wellbeing implications of, or risks relating to, the proposed decision.

Environmental and Climate Change Implications and Risks

There are no environment and/or climate change implications associated with this Report.

That said, new builds are encouraged to adopt reduced carbon-centric approaches to development, and this is advanced through the tendering and procurement processes expected in all LBH engagement with external service providers as part of the pursuit of best value.

- Appendix A- Financial costing for Updated Phase 5- Exempt from publication
- Appendix B- EQHIA- [Children & Young People Education Place Planning Plan 2023-2027](#)
- Appendix C- New special free school presumption and timeline
- Appendix D- Balgores Special School – Draft Cost Estimate - Exempt from publication

BACKGROUND PAPERS

None