

Notice of Non-Key Executive Decision

Subject Heading:	To action the Capital Funding allocation for Olive Academy- Change of Age Range to provide AP education for primary pupils.
Decision Maker:	Trevor Cook, Assistant Director Education
Cabinet Member:	Councillor Oscar Ford: Cabinet Member for Children and Young People
ELT Lead:	Tara Geere, Director of Starting Well
Report Author and contact details:	Pooneeta Mahadeo, School Organisation Manager Pooneeta.Mahadeo@havering.gov.uk Tel. 01708 431092
Policy context:	This relates to local authorities' statutory duties under section 19 of the Education Act 1996. This states that local authorities must arrange suitable and (normally) full-time education for children of compulsory school age who, because of exclusion, illness or other reasons, would not receive suitable education without such provision being arranged.
Financial summary:	The necessary capital building cost for the works required to extend the age range of the academy to include primary provision is £100k. This will be funded from the High Needs Provision Capital Allocation (C40120). Any costs incurred over and above the grant amount will be borne by the

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	school's trust, subject to terms and conditions of the funding.
Relevant Overview & Scrutiny Sub Committee:	Children & Learning
Is this decision exempt from being called-in?	<i>The decision will be exempt from call in as it is a Non key Decision</i>

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

People - Supporting our residents to stay safe and well X

Place - A great place to live, work and enjoy

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

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DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Recommendation

- To support the implementation of extending the age range of Olive Academy to provide Alternative Provision (AP) education for primary pupils aged 7 onwards from September 2025.

Name of School	Current age range	Proposed age range
Olive AP Academy	11-16	7-16

- To agree the release of capital funding of up to £100,000 budget to Olive AP Academy Trust to proceed with build works from the LA's High Needs Provision Capital Allocation from the DfE
- To note the funding implications for Revenue funded from the Dedicated Schools Grant (DSG) High Needs Block from the DfE, which is for the provision of AP and SEND support for children across the local authority

AUTHORITY UNDER WHICH DECISION IS MADE

3.3.3 Powers common to all Strategic Directors

5.1 To apply for, accept and thereafter spend / allocate any grant funding connected with their directorate provided that any match funding or residual liabilities can be met from the existing budget of the directorate. For the avoidance of doubt this delegation shall allow the acceptance of any grant offered / allocated to the Council without any application.

As notified to the Monitoring Officer in the Sub Delegation from the Director of Children's Services / Director of Starting Well to the Assistant Director, Education Services, dated 7 August 2025.

STATEMENT OF THE REASONS FOR THE DECISION

There is a need for specialist alternative provision for primary age pupils in Havering and this is clearly evidenced by our data and place planning strategy. We are projecting an increase an increase of 26% in the number of pupils requiring an educational entitlement in alternative provision from 2023/24 to 2028/29 (for more, see [Children and Young People Education Place Planning Plan 2023-2027](#))

What is proposed

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The current academy estate was refurbished in 2021 to accommodate up to 64 children and young people in KS3 and KS4 but due to the levels of need the academy currently works with 50 pupils who have been permanently excluded or who are at risk of permanent exclusion.

Therefore, in partnership with the local authority the academy is proposing to lower the age range of the academy. This will allow the expertise that the academy has developed in supporting vulnerable pupils to be available for pupils in KS2, in order to prevent them being permanently excluded from their mainstream school.

The proposal is to develop a 10 place provision for pupils aged between 7-11 within the current estate of the academy. The provision will be a short term intervention programme developed with the pupils 'home' mainstream school that will run for between 8-10 weeks at a time.

The KS2 pupils will be educated within the current estate but will have their own discreet areas and facilities that will specifically designed to meet their needs.

Changing the age range of the academy will have a number of benefits:

- The local authority will be able to have access to high quality Alternative Provision for KS2 pupils
- Support local mainstream schools in developing the inclusion offer across the LA and prevent the need for pupils to be permanently excluded
- Carefully mapped and sequenced curriculum plans for KS2 pupils that improve engagement, raising educational standards and outcomes for all
- Access to qualified teachers for KS2 pupils who need Alternative Provision to prevent them being permanently excluded from mainstream school.
- Access to specialist academy facilities for pupils who need Alternative Provision to prevent them being permanently excluded from mainstream school.
- Reduce pressures on special schools and related budgets, by providing pupils with timely support to remain to be successful in their local mainstream school

Demand and Place Planning

There is no KS2 Alternative Provision available in Havering currently, the provision will be a short term intervention programme developed with the pupils 'home' mainstream school that will run for between 8-10 weeks at a time. The provision is short term and allows for students to return to their mainstream school therefore it will have no impact on demand and place planning.

OTHER OPTIONS CONSIDERED AND REJECTED

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None

PRE-DECISION CONSULTATION

A consultation was launched by the Trust, to seek views on the proposal to lower the age range of the academy.

At the end of the consultation period a total of 6 responses were received. 84% of the total responses representing 5 respondents were in favour of the proposal, whilst 1 respondent representing 16% of the total objected to the proposal.

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

Name: Pooneeta Mahadeo

Designation: School Organisation Manager

Signature: *P.Mahadeo*

Date: 30/03/2026

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. This relates to local authorities' statutory duties under section 19 of the Education Act 1996. This states that local authorities must arrange suitable education for children of compulsory school age who, because of exclusion, illness or other reasons, would not receive suitable education without such provision being arranged.
2. Academy trusts must follow the required significant change process in advance of changes of the type being proposed being made. Failure to do so will constitute a breach of the academy trust's funding agreement, which could result in further action taken by the Department of Education to address the breach. Applications should be submitted in good time, to allow for processing, to ensure that a decision can be made well in advance of when the change is planned to take effect. This is as detailed in the *Making Significant changes to an Academy Non-statutory guidance on collaborative school place planning and making organisational changes to academies October 2024*.
3. The request to make a significant change to Olive AP Academy – Havering by changing the age range of the school from 11-16 to 7-16 has been approved by the DfE.
4. There are no other apparent legal risks in deciding to release the funds for the proposed building works. Contractual responsibility will remain with the Academy.

FINANCIAL IMPLICATIONS AND RISKS

Capital Implications

Costs

The estimated costs for delivering the extension of age range is as follows:

School	Change of age range	Cost
Olive AP Academy	11- 16 to 7-16 10 primary places	£100,000

Funding:

Up to a maximum of £100,000 will be met from the unallocated High Needs Provision Capital Allocation from the DfE (Project C40120).

Funding will be released to the academy trust to proceed with build works for the through the funding agreement – Appendix A.

The risk will be borne by the Academy. Clear contractual arrangements will be needed to ensure that both sides meet their obligations. Funding will be released to the school in line with clear delivery milestones.

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Risks

As with any capital scheme there is a risk of overspend. Whilst grant funding is available to cover this scheme, any risk of overspend will be borne by the Trust. Any non-compliance with the grant terms and conditions could also lead to withdrawal of the grant. These risks can be mitigated with careful project management.

Revenue Implications

Costs

The funding for the places will be from the LA's DSG High Needs Block.

The 10 places will be funded based on the existing funding level that the AP is funded for the existing 50 places in Key Stage 3 and 4 of £24,283 per place. This is aligned to the DfE approach of funding the "place" funding at £10,000 per place, and the locally agreed "top-up" level of £14,283. The total initial LA maximum revenue funding for academic year 2025-26 is £242,830.

	Rate	AU25	SP26	SU26	Total / Avg
<i>Months</i>		5	3	4	12
<i>FTE</i>		10	10	10	10.00
Place*	£10,000	£41,667	£25,000	£33,333	£100,000
Top-up	£14,283	£59,513	£35,708	£47,610	£142,830
Total		£101,179	£60,708	£80,943	£242,830
Schools contribution (maximum)		n/a	£25,723	£34,298	£60,021
Net LA funding		£101,179	£34,984	£46,646	£182,809

Funding:

The LA will be funding a maximum of £242,830 for academic year 2025-26 from the LA's DSG High Needs Block, with a maximum contribution of £60,021 due to be recovered from applicable schools should they place children at the provision. Therefore the minimum LA funding for academic year 2025-26 is £182,809.

Risks

Should there be no school place children to this programme, then the LA will bear the full cost of this programme.

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

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The human resources implications for the Academy will be managed by the Trust. There is likely to be a need to recruit additional teaching and support staff and the Academy will undertake the recruitment and selection process in accordance with the Trust's policies and procedures.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

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.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The agreement encourages the Trust to adopt sustainable practices in their operations. This includes reducing waste, conserving energy, and promoting recycling within their facilities.

BACKGROUND PAPERS

APPENDICES

Appendix A Funding agreement

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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

Details of decision maker

Signed



Name: Trevor Cook

~~Cabinet Portfolio held:~~

~~CMT Member title:~~

~~Head of Service title~~

Other manager title: AD Education Services

Date: 1st April 2026

Lodging this notice

The signed decision notice must be delivered to Committee Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____

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