

REPORT TO:	CABINET - 23 January 2017
AGENDA ITEM:	11
SUBJECT:	Education Estates Report
LEAD OFFICER:	Barbara Peacock - Executive Director
CABINET MEMBER:	Cllr Flemming, Children, Young People and Learning
WARDS:	All

CORPORATE PRIORITY/POLICY CONTEXT/ AMBITIOUS FOR CROYDON

The recommendations in this report contribute to achieving priority 3 of the independence strategy to provide people with the best opportunity to maximise their life chances and have a good quality of life through the provision of high quality universal services, including an excellent learning offer.

FINANCIAL IMPACT

The overall cost of the Education Capital Programme is estimated at £157.9m over the period 2016/17 to 2019/20. Appendix 1 provides a detailed breakdown of the scheme costs and funding.

FORWARD PLAN KEY DECISION REFERENCE NO.: 0217CAB (For recommendations 1.1 & 1.5)

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below.

1. RECOMMENDATIONS

The Cabinet is recommended:

School Place Planning

- 1.1 to agree Croydon’s School Place Supply Strategy (tables 1, 2 & 3) for the next 3 academic years – 2017/18 to 2019/20 and the funding (where applicable) to deliver these additional places.
- 1.2 to agree to the publication of the statutory notice and that statutory consultation can take place on the proposed permanent expansion of Beckmead and St Nicholas special schools. It is proposed that, if agreed, consultation will take place in March/April 2017. Following the outcome of the proposed consultation, a decision whether or not to expand should be made by Cabinet in May 2017.

- 1.3 to note the proposed additional places planned at Red Gates Primary School – 8 additional places in September 2017 and 8 additional places in 2018 and that to deliver these places statutory consultation is not required.
- 1.4 to note the amalgamation of four Pupil Referral Units (PRUs) - Coningsby, Phil Edwards, Moving On and Cotelands into one PRU - Saffron Valley Collegiate.- from 9 November 2016.

School Maintenance

- 1.5 to approve the proposed two year Schools' Maintenance Plan for 2017/18 and 2018/19, attached in Appendix 2 (printed separately).
- 1.6 to agree that this Plan will be reviewed annually.

School Admissions

- 1.7 to recommend that full Council agrees the proposed Admission Arrangements for Community Schools for the 2018/19 academic year as set out in Appendix 4 to this report (printed separately).
- 1.8 to agree the co-ordinated scheme for the 2018/19 academic year as set out in Appendix 5 to this report (printed separately) and note the Published Admission Numbers for Community Schools for the 2018/19 academic year.
- 1.9 to agree the secondary and primary Fair Access protocols and agree the protocols can come into effect from 20 February 2017 – Appendix 6 (printed separately).

Accessibility Strategy

- 1.10 to agree that consultation should take place on the draft accessibility strategy for disabled pupils (Appendix 7 printed separately) with stakeholders including parents/carers, pupils, school staff and governors and specialist organisations.
- 1.11 to agree that following consultation referred to in 1.10 above, to delegate to the Executive Director, in consultation with the Cabinet Member for Children, Young People and Learning, consideration of the consultation responses and to agree the final accessibility strategy

2. EXECUTIVE SUMMARY

School Place Planning

- 2.1 Croydon Council has a statutory duty to ensure every child resident in the borough has access to a school place. This report sets out plans to ensure that we have sufficient primary, secondary mainstream and special educational needs places for every child in the borough.
- 2.2 This includes seeking Cabinet's agreement to consult on the proposed expansion of Beckmead School to create provision for up to 14 pupils with Social, Emotional and Mental Health Needs. The current education provision at Beckmead School is such that there has been inequality of opportunity for those with emotional needs, including stress, anxiety and/or phobias who need a learning environment away from young people with 'acting out behaviours' that provides pastoral support and teaching that enables re-engagement with learning. Cabinet is asked to approve an increase in numbers at Beckmead School and the addition of an environment that provides for those with social, emotional mental health needs.
- 2.3 Agreement to consult is also requested for a more ambitious expansion of St Nicholas Primary School. The proposals seek to expand the school by two forms of entry in every year group (16 places) rather than the one form of entry already agreed by Cabinet.
- 2.4 Following consultation, and under delegated powers from the Leader of the Council, the Executive Director, People, in consultation with the Lead Member, approved the implementation of the proposed amalgamation of Saffron Valley PRUs (Coningsby, Phil Edwards, Moving On and Cotelands) into one PRU – Saffron Valley Collegiate - from 9 November 2016.
- 2.5 The main reasons for the amalgamation of the PRUs are to deliver a quality bespoke curriculum across the PRUs; ensure best value for money; and allow tighter governance and accountability across the PRUs. The amalgamation does not change pupil numbers or the location of the pupils.

School Maintenance Plan

- 2.6 The Council is responsible for larger condition and maintenance works in maintained schools. A two year maintenance plan for community schools was agreed by Cabinet in July 2016. This report provides an update to the plan agreed in July 2016.

School Admissions

- 2.7 The Council is the Admission Authority for community schools and has a duty to determine the admission arrangements for community schools every year.
- 2.8 Following statutory consultation on proposed changes to the Admissions Arrangements for 2018/19, this report seeks Cabinet agreement to approve the

proposed Admissions Arrangements. Approval is also requested for the primary and secondary Fair Access Protocols (which ensure that vulnerable and challenging pupils are placed quickly) and the coordinated scheme (which sets out how all schools will work together to ensure every child is offered one place).

- 2.9 If approved, the Admissions Arrangements will then go to Full Council (later in January) to be formally determined (this is in line with the Council's constitution).

The Accessibility Strategy for disabled pupils

- 2.10 Local Authorities and schools are required to carry out accessibility planning for disabled pupils. Local Authorities are required by Schedule 10 of the Equality Act 2010 to prepare an Accessibility Strategy for disabled pupils in the schools for which they are responsible. The Accessibility Strategy must be aimed at increasing the extent to which disabled pupils can participate in the schools' curriculum; improving the physical environment of the schools; and improving the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled. Schools are required to implement accessibility plans based on the same principle as the Councils Accessibility Strategy for disabled pupils.
- 2.11 The draft Accessibility Strategy (Appendix 7) has been written in line with the Department for Education 2014 guidance (The Equality Act 2010 and Schools); and the Council's Equality and Inclusion Policy.
- 2.12 This report seeks Cabinet's approval to consult with schools, parents/carers, pupils and specialist organisations on a draft Accessibility Strategy with a view to implement from summer 2017. The draft strategy (Appendix 7) has been informed by early engagement with schools staff, parents/carers and pupils

3. DETAIL

SCHOOL PLACE PLANNING

Projecting the demand for school places

- 3.1 Every year the Council projects the number of pupils requiring school places in the borough over the coming years (pupil demand). It uses a projection methodology which takes into consideration factors such as birth rates and local housing developments. Throughout the year, the demand for additional school places is reviewed as soon as new local information and data becomes available. For example, school census and admissions information. This intelligence then informs the following July's projections which impacts upon the number of places delivered in future years.
- 3.2 The Council submits their pupil projections to the Department for Education (DfE) by late July each year. These projections are then verified and finalised by the DfE, usually by the end of the calendar year. Once finalised, the

projections are used to inform the Basic Need Funding which the Council receives from the Education Funding Agency.

- 3.3 Each year the Council strives to improve the methodology and therefore the accuracy of its pupil projections. Under projecting would result in a deficit of places and therefore a failure to meet its statutory duty, denying its residents a place at a local school. However, over projecting the number of places required also has serious consequences.
- 3.4 A significant proportion of funding received by schools is directly related to the number of pupils attending the school. Vacancies in schools mean that schools will not receive the maximum revenue possible. Therefore a very careful balance is required to ensure that the council retains some vacancies for those who move into the borough, without creating an excess of places which could seriously challenge the viability of individual schools. This issue is likely to become even more pronounced with the proposed move to a national funding formula for schools.
- 3.5 To ensure that we have a sufficient supply of school places to meet demand, we plan across six planning areas of the borough – Central, East, North West, South, South East, and South West - for primary places; and 2 planning areas – North and South - for secondary places. When we calculate our pupil projections (as set out above) we set out the number of additional places we will need in each of the defined pupil planning areas. Maps setting out the boundaries for each planning area and wards are illustrated in Background paper - 2.
- 3.6 To plan for demand for specialist places for children with complex Special Educational Needs (SEN), the Council has a database of all existing placements that is updated annually to project future place requirements by category of need. This is cross-referenced with data trends held by the Council on types of SEN for pupils with Education, Health and Care (EHC) plans and to similar data submitted by schools to the Department for Education (DfE) on pupils with SEN supported through the graduated response (formerly School Action and School Action Plus).
- 3.7 The total number of additional school places that will be provided across the borough in the next three years is set out below. Our plans to deliver these places are set out in our supply strategy in Tables 1, 2 & 3.
- 3.8 **Proposed number of additional places to be provided in the Primary phase to meet demand:**
- 2017/18 academic year, an additional 3 forms of entry (FE) (90 reception places)
 - 2018/19 academic year, an additional 1 FE (30 reception places)
 - 2019/20 academic year, an additional 6 FE (180 reception places)
- 3.9 **Proposed number of additional places to be provided in the Secondary phase to meet demand**

- 2017/18 academic year, an additional 2.3 FE (70 Year 7 places)
- 2018/19 academic year, an additional 6 FE (180 Year 7 places)
- 2019/20 academic year, an additional 11FE (330 Year 7 places)

3.10 **Proposed number of additional specialist places that will be provided for pupils with complex SEN in special schools or Enhanced Learning Provision alongside mainstream schools.**

- 2016/17 academic year, an additional 24 places in nurture provision in primary schools and a further 6 personalised learning places in the post-16 'Access to Success' provision
- From 2017/18 academic year – there will be a year on year increase of 16 special school places for children with Moderate Learning Difficulties at St Nicholas Primary School. The school will have an additional two classes and, over a period of between 3-6 years there will, as a consequence, be 56 additional places at the school. Total primary places for children with MLD will be 186
- From 2017/18 academic year there will be an additional 8 places in special school for children with severe learning difficulties at Red Gates School. A further additional 8 places are planned from September 2018. The total number of places available for children of primary age with SLD will be 138.
- The number of places for children with autism at Chaffinch Brook School is planned to continue to increase year on year by 8 places until the school has provision across the age range 6-16years old (Year Groups 1 – 11). Total number of places by academic year 2019/2020 will be 80 for children with autism. .
- The secondary Autism Enhanced Learning Provision at Oasis Coulsdon and Oasis Arena continues to increase year on year. There will be an additional 5 places at Oasis Coulsdon from September 2017 (total number of places to 25). Oasis Arena ASD ELP will have an additional 3 places with year on year increases planned to bring the total to 15 places by 2020. There are a further 30 ASD ELP secondary places at Meridian.
- From 2017/18 an additional 14 places provided by Beckmead School within a learning environment that is suitable for young people with a range of social, emotional mental health needs, to enable those young people whose needs relate to anxiety, stress and emotional needs, to be supported in engaging with learning. The plan is to enable these young people to have a supported pathway back into mainstream education wherever possible.

Meeting demand for school places

3.11 There are broadly three different ways to deliver new school places:

- Fixed term expansions (one or two new classes) for one or two academic years only;
- Permanent expansions (permanent increase in the size of the school in every year group);
- New schools (current legislation sets out that all new schools are presumed to be free schools).

Proposed 3 year primary school supply strategy – Table 1

Planning area	Academic Year 2017/18	Academic Year 2018/19	Academic year 2019/20
North West			New School: <ul style="list-style-type: none"> • 3FE Free School - Ark Bayes
Central	Existing Schools: <ul style="list-style-type: none"> • Krishna Avanti Free School – 1FE (30 additional reception places)¹ • Harris Primary Academy Purley Way – 1FE (30 additional reception places)² 		
East	The Crescent <ul style="list-style-type: none"> • 2FE in year bulge³ 		Existing school: <ul style="list-style-type: none"> • The Robert Fitzroy Academy 1FE (30 additional reception places)⁴
South			Proposed New School <ul style="list-style-type: none"> • 2FE Free school (<i>subject to free school applications being submitted to and approved by DfE</i>)
South East			
South West	Permanent expansion: <ul style="list-style-type: none"> • 1FE Woodcote 	Permanent expansion: <ul style="list-style-type: none"> • 1FE Smitham 	

Proposed 3 year secondary school supply strategy – Table 2

¹ Total of 60 reception places available

² Total of 90 reception places available

³ Bulge classes to accommodate 60 additional pupils admitted in 2011/12

⁴ Revert back to their original higher PAN of 120 reception places available

Planning area	2017/18	2018/19	2019/20
North			Proposed new Free School: 5FE – The Crescent Secondary <i>(subject to DfE approval)</i> New School: 6FE Ark Secondary free school at Morland Road.
	Existing school: 2.3FE expansion of The Archbishop Lanfranc through Priority School Building Programme.		
South		New School: 6FE Coombe Wood School (Wallington County Free School - Site TBC)	

Proposed 3 year SEN supply strategy – Table 3

Meeting demand for Primary mainstream places

Planning Area	Academic Year 2017/18	Academic Year 2018/19	Academic year 2019/20
South Additional SEN provision	<p>Existing schools:</p> <ul style="list-style-type: none"> • 2FE⁵ permanent expansion of St Nicholas Special School (age 4-11) • Nurture provision in 2 primary schools for pupils with social, emotional and mental health needs – 24 places TBC (age 4-11) • 1FE proposed temporary expansion of Red Gates Special School (age 4-11) <p>Beckmead Family of schools –</p> <ul style="list-style-type: none"> • Chaffinch Brook School – increase to include Year 9 class. • Beckmead School increase of 14 places (social, emotional, mental health and/or anxiety, stress, phobia related learning difficulties). • Beckmead College – 12 places for young people age 14-19 years. KS5 vocational offer (working towards filling 50 places) – new building to open Jan 2017 • Enhanced Learning Provision at Oasis Coulsdon and Arena increasing by 5 and 3 places respectively. 	<p>Existing schools:</p> <ul style="list-style-type: none"> • 1FE proposed temporary expansion of Red Gates Special School (age 4-11) • 1FE proposed permanent expansion of St Nicholas Special School (age 4-11)⁶ <p>Post 16 SEN provision to be developed in liaison with FE College Sector and special schools.</p>	<p>Proposed new Free Special School:</p> <ul style="list-style-type: none"> • 120-150 places for boys and girls with ASD (age 2-19) – site TBC

⁵ 1FE (form of entry) for Special schools equates to one class of 8 pupils

⁶ This proposed additional 1FE permanent expansion would be further to the 1FE 2017/18 permanent expansion which was approved at January 2016 Cabinet (therefore it is proposed that the school would ultimately grow a total of 2FE from the current numbers).

- 3.12 The slight decrease in the birth rate evidenced in the July 2016 pupil projections has resulted in minor amendments to the primary supply strategy. The additional 'in year' classrooms proposed in the July Education Estates report are to be delivered in the North West planning area only.
- 3.13 In the South planning area, the three form entry free school proposed for 2017, is now proposed to be two form entry to be delivered in 2019. Ark had previously proposed to deliver the three form entry school in the South Planning Area but they will now be delivering a free school in the North West (proposed to be three forms of entry, site to be confirmed.)
- 3.14 In the South West planning area, the demand for additional places has slowed down. This is partly due to the slight decrease in birth rate and the change of phasing of the Cane Hill housing development (located in this area) which is set to deliver over a longer period of time than originally anticipated, therefore spreading the demand for places further in the future. Our figures indicate that additional places are still required at Chipstead Valley, Smitham and Woodcote (as previously agreed). However, we are not proposing to progress plans to expand Oasis Byron.

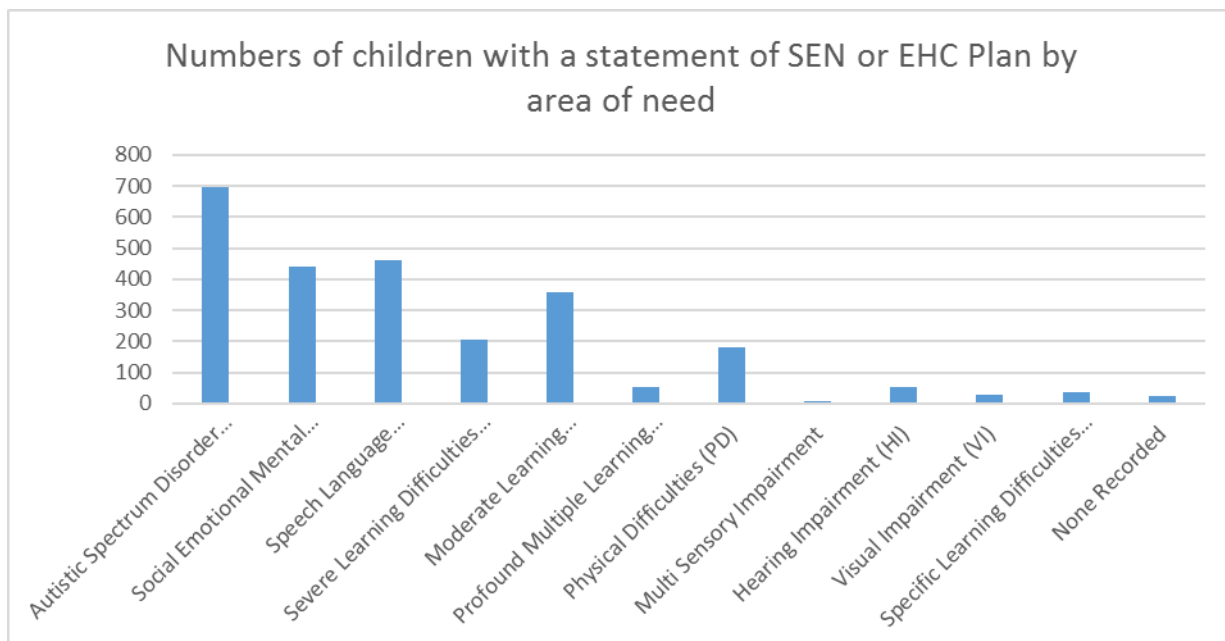
Meeting demand for Secondary mainstream places

- 3.15 The secondary free school proposed to open in 2018 will ensure that every child in the borough will be offered a secondary school place in September 2018.
- 3.16 As set out in the Education Estates report in January and July 2016, the Council has been working with Crescent Primary who are leading a bid for a new free school in Thornton Heath (the Crescent Secondary School). This bid is made in partnership with the Brit School, GLF Schools and the Crystal Palace Football Club Foundation. The free school bid was submitted by the consortium in September 2016 and they expect to be informed whether or not the bid has been successful by the Department for Education in Spring 2017.
- 3.17 The Department for Education has agreed to open a further secondary free school in Croydon. This project is to be delivered by Harris Federation and the Council will continue to work with the Department for Education and Education Funding Agency to provide pupil demand information so that when additional demand is evidenced, plans can begin to develop to deliver this proposed school.

Meeting demand for SEN places

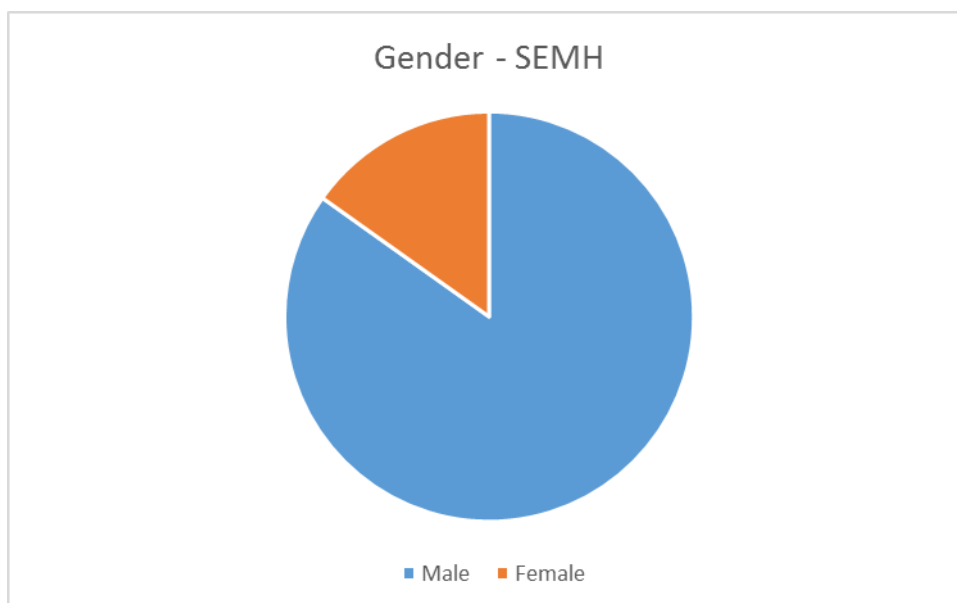
Social Emotional Mental Health – proposed new places

- 3.18 SEN demand data shows an increasing need for specialist places for pupils with Autism Spectrum Disorder ASD and also bespoke provision for young people with Social Emotional and Mental Health (SEMH) or ASD.



3.19 The number of girls with SEMH or ASD requiring specialist provision is small (currently 76 of statutory school age placed across maintained special schools and the independent sector). Girls with ASD and learning difficulties are currently placed across maintained MLD and SLD special schools, There is, however, an emerging trend of ASD diagnosis in girls in teenage years, often exhibiting high risk behaviours. The needs of this group could be met within the ASD free school proposal.

3.20 Teenaged girls with SEMH, can be hard to, place; this group may exhibits risky and self-destructive behaviours and can be vulnerable in relation to Child Sexual Exploitation (CSE). At the recent Ofsted inspection of Children's Social Care 25% of the children identified as at risk of CSE, had an Education, Health and Care plan. Girls and some boys with social, emotional mental health needs present with challenging emotional needs, anxieties, school phobia for which additional and specialist teaching is needed in an environment away from young people with 'acting out' behavior. It is proposed that a small provision for 6-14 teenaged girls and boys, as appropriate is developed within the Beckmead Family of Schools; this would build on their nationally recognised success in meeting the needs of boys with SEMH at Beckmead School and address the current inequality in Croydon SEMH specialist education provision. In Croydon currently there are 442 children and young people with a statement of SEN or an EHC Plan identifying SEMH as their primary area of need, of these 67 are girls.



- 3.21 To meet this demand it is proposed that Beckmead family of schools will be expanded by 14 places.
- 3.22 To progress proposed plans we are seeking to consult on permanent expansion. We propose to consult with all stakeholders including parents/carers, pupils, school staff and governors as well as residents local to the proposed site.
- 3.23 It is proposed that consultation would take place in March/April. This is in line with the statutory consultation timescales. A decision must be made by the decision maker (Cabinet) within 8 weeks of the end of the consultation period and therefore it is proposed that a report detailing the analysis of the consultation should be presented to Cabinet for consideration in May. The report will include a recommendation whether or not to expand Beckmead.

Autistic Spectrum Disorder – proposed new places

New Free School

- 3.24 Current specialist provision for ASD includes 3 enhanced learning provisions in primary schools (58 places) and 3 in secondary schools (58 places). Pupils with ASD with behaviors that challenge and limit learning are educated at Chaffinch Brook, an ASD specialist provision (56 places) within the Beckmead Family of schools.
- 3.25 Since ASD is often associated with learning difficulties, pupils are also often placed in a Moderate Learning Difficulties (MLD) or Severe Learning Difficulties (SLD) school adding to the pressure on places at these schools while a significant number attend specialist ASD schools in the independent sector outside the borough representing 30% of all independent sector placements.
- 3.25 Therefore in July 2016 we proposed that we seek providers to deliver a specialist ASD specific free school for pupils aged 2-19 as well as developing a further enhanced learning provision in a mainstream primary school.

3.26 In October 2016, Croydon Council was given the opportunity to bid for Free School funding to deliver a new Special Needs free school in the borough. An expression of interest has been submitted and the outcome will be published in the Education Estates report in July 2017. If funding is not secured through this bid, providers are still able to apply to open a free school through the normal application route set out by the Department for Education.

Red Gates School - Additional places for children with severe learning difficulties, profound and multiple learning difficulties and autism

3.27 In 2015 Croydon Council undertook early engagement on the proposed permanent expansion of Red Gates Primary.

3.28 A number of significant issues were raised relating to an additional 56 places on such a constrained site. St Nicholas School is co-located with Gilbert Scott, a one form entry (30 places in every year group) mainstream primary school. As well as spacial constraints, concerns were raised relating to the safety of the additional pupils when travelling to the site by transport.

3.29 Further consideration was undertaken, including with key school stakeholders, relating to the possible options for delivering new places, bearing in mind the previous feedback provided through engagement on the full expansion of the school.

3.30 This feedback was also balanced with the demand for additional places in Croydon.

3.31 It is therefore proposed that a fixed term expansion will be delivered at Red Gates, delivering 8 additional places in September 2017 and 8 additional places in September 2018.

3.32 Although there is no statutory requirement for formal consultation, stakeholders across Red Gates, Gilbert Scott and the Quest Academy (located next door) have been informed of these plans and feedback from the engagement process will be used to inform how the places will be delivered.

3.33 This will include commissioning an independent transport expert to explore options for transporting the additional children, whilst keeping all other children safe across the sites.

St Nicolas School - Additional places for children with moderate learning difficulties, speech and communication disorders and autism

3.34 In 2016, following statutory consultation, Cabinet agreed to the permanent expansion of St Nicholas School by 1 form of entry.

- 3.35 The implementation of this permanent expansion required further feasibility work on the site. This work was undertaken to ensure that new places would be delivered effectively, enabling the school to enhance curriculum delivery and maintain its ethos, as well as ensuring that new places delivered provide best value for money.
- 3.36 In addition, the feasibility study considered transport access requirements which were raised during the consultation process. Particular concerns were raised by residents regarding current safety transport arrangements which include drop offs and pickups in and around the school.
- 3.37 Another factor which informed the feasibility study was the increasing demand for places, signifying that an additional form of entry in each year group was highly unlikely to meet future demand for places.
- 3.38 The conclusion from the study was that additional places at the school could most effectively be delivered if the school were to expand by 2 forms of entry (16 places) rather than the 1 FE that has already been agreed.
- 3.39 It is therefore proposed that statutory consultation should be undertaken with all school stakeholders at St Nicholas, including parents/carers, pupils, staff, governors and nearby residents. It is proposed that consultation should follow the same timeline as Beckmead Primary and that the decision whether or not to expand to 2 FE should be made by Cabinet in May.

Other free school announcements

- 3.40 The Harris Professional Skills Sixth Form is proposed to open in 2018 on the site of the old South Norwood Police Station

Funding the supply strategy

- 3.41 In seeking high quality, value for money places, in areas of high demand, the Council has funded the delivery of the supply strategy through:

- Basic Need Funding;
- Targeted Basic Need funding for specific projects;
- CIL/Section 106;
- The Priority School Building Programme;
- Council Borrowing;
- Free Schools

- 3.42 Please refer to Appendix 1 which sets out the budget for delivering this supply strategy from 2017/18 to 2019/20. Further funding will be allocated each year from S106 and CIL which will reduce the Council's borrowing requirement.

Risks funding the supply strategy

- 3.43 As set out in the previous Education Estates report, the Council will seek to meet its statutory duty to provide sufficient school places by maximising funding provided by central government using the free schools programme, in the absence of additional Basic Need Funding. Where projected pupil numbers

determine that new schools are required, the Council will seek to attract the best providers to Croydon to provide residents with high quality school places.

- 3.44 However, this process relies on partnership working with central government and Academy providers to ensure that the best provision is delivered in areas of demand at the right time. Ultimately, the Department for Education is responsible for making the decision to open a new school in Croydon and this can create challenges of both - over and under supply - if additional places provided do not meet the projected demand for new places.
- 3.45 Should demand for places increase at short notice, particularly 'in year', the free school process does not provide the flexibility for places at immediate notice.
- 3.46 Therefore is it important that there is capacity across the borough to ensure all pupils can be offered a place. Where capacity exists in Academies, we must rely on strong relationships with providers to ensure places can be made available when they are needed. This will ensure that, as a Council we are able to meet our statutory duty to provide every child resident in Croydon a school place by accessing a full range of places, not just those in Community, Voluntary Aided and Foundation schools.

Amalgamation of Saffron Valley Pupil Referral Units

- 3.47 Under Section 19 of the Education Act 1996 Local Authorities have a statutory duty to arrange suitable education for permanently excluded pupils and for pupils who – because of illness or other reasons – would not receive suitable education without such provision. Education outside of school, when it is arranged by Local Authorities or schools is called alternative provision. In such circumstances, pupils may be admitted to a Pupil Referral Unit (PRU).
- 3.48 Saffron Valley has been operating as a 'soft' federation under one management committee for 4 years, however they remained separate institutions. The four PRUs have recently appointed one Head teacher to lead across the five sites.
- 3.49 At the 11th July 2016 cabinet meeting (ref. A79/16) Cabinet agreed to the start of the statutory process – publication of notice and consultation – on the proposed amalgamation of Saffron Valley PRUs.
- 3.50 A statutory notice was published and a four week consultation on the proposed amalgamation of the PRUs started on 07 September 2016. Overall, respondents to the consultation supported the proposed amalgamation of the Saffron Valley PRUs.
- 3.51 The amalgamation of the PRUs has resulted in: one PRU operating across five sites; one Department for Education registration number; and one Ofsted inspection. The main reasons for the amalgamation of the PRUs are to deliver a quality bespoke curriculum across the PRUs; ensure best value for money; and allow tighter governance and accountability across the PRUs.
- 3.52 Under delegated powers, the Executive Director, People, in consultation with the Lead Member, approved the implementation of the proposed amalgamation

of Saffron Valley PRUs (Coningsby, Phil Edwards, Moving On and Cotelands) into one PRU – Saffron Valley Collegiate - from 9th November 2016.

SCHOOLS MAINTENANCE

- 3.53 The Council is responsible for larger condition and maintenance works in maintained schools.
- 3.54 The two year plan is based on information provided by the condition surveys commissioned by the Council through Faithful and Gould. These surveys are comprehensive and identify costed items across each school rated from A (good condition) to D (poor condition) as well as assessing the urgency of each (on a scale of 1 to 4, with 1 being the most urgent). The Council, under the current scheme for financing schools, is responsible for items valued at over £10,000 for primary schools and £25,000 for secondary schools.
- 3.55 At the time of writing, based on these surveys as uploaded onto the Council's Asset Management database, (TF Cloud) there are D items over these limits to a total value of £4,367m awaiting attention of which £2,65m are in the most urgent category. Accordingly, given a limited budget, those works which actually reach the programme will inevitably be those which are likely to lead to school closure if not addressed. They include items such as heating, roofing and windows replacement.

Proposed 2 year maintenance plan

- 3.56 Using TF Cloud, the works have been programmed according to the following criteria:
- D1 needs identification through condition surveys or further inspection
 - Urgent health and safety issues
 - Items which could lead to school closure (predominantly roofing and heating works)
- 3.57 The resulting 2017/18 and 2018/19 programmes are set out in Appendix 2. The programme is set at the level of the base budget of £2.5m per year from 2017 based on the valuation of identified works.
- 3.58 In setting this programme we have allocated a proportion of the budget (£200,000) to emergency and reactive works. These are particularly common in the winter months and in previous years other planned works have had to be stopped in order to fund unplanned events; in most cases these were issues that could not have been predicted by the condition surveys.
- 3.59 Plans will be put in place to use any of the provisions for emergency and reactive works that may be unspent in the final months of the financial year on smaller projects from the programme.

3.60 As in previous years, the programmes set out in this report are based on estimated costs and not tendered prices. The Executive Director, People, should retain the delegated authority to vary the programme to reflect actual prices and new urgent issues that may arise, including authorising spend against the allowance for emergency and reactive works.

Procurement

3.61 Once the updated programme has been agreed, the relevant schools concerned will be engaged in detail on the works in advance of final procurement. The procurement strategy will be set for each scheme ensuring best value for money.

SCHOOL ADMISSIONS

3.62 The Council is the Admission Authority for Community schools and is therefore responsible for consulting on, determining and applying the admission arrangements for community schools.

3.63 The Governing Body or Academy Trust is the admission authority for Foundation, Voluntary Aided schools and Academies. All schools which are their own admission authority are responsible for consulting, determining and applying their own admission arrangements and criteria. Details of any consultation on these admission arrangements will be found on each school's website.

3.64 The Council retains the co-ordinating role for reception, junior and secondary transfer. This means that all offers are made by the Council and that every child should receive one offer only. Admission Authorities, including Local Authorities are responsible for ensuring that admission arrangements are compliant with the School Admissions Code 2014.

3.65 This includes consulting on any proposed changes to admission arrangements annually or at least every 7 years where there have been no changes. In addition, Admission Authorities are required to determine their admission arrangements on an annual basis.

Co-ordinated scheme

3.66 All local authorities must formulate and publish on their website a scheme to co-ordinate admissions arrangements for the relevant admissions year, by 1 January every year for all publicly funded schools within their area. Where the scheme is substantially different from the scheme adopted for the previous academic year, the Council must consult the other admission authorities in the area and any other local authorities it determines necessary.

3.67 Where the scheme has not changed from the previous year, there is no requirement to consult. However, the Council must consult on the scheme at least once every seven years, even if there have been no changes during that period. Following any such consultation, which must be undertaken with a view to ensuring the admission of pupils in different local authorities is, as far as reasonably practicable, compatible with each other, the local authority must

determine the qualifying scheme and must take all reasonable steps to secure its adoption. A Council must inform the Secretary of State whether it has secured the adoption of a qualifying scheme by 28 February 2017.

- 3.68 Croydon has participated in a Pan London arrangement for the Co-ordinated Admissions rounds for both primary and secondary applications for several years. This arrangement allows all boroughs to exchange data and facilitate choice for parents by offering places across borough boundaries within the same parameters and timetable. However as well as agreeing to a core set of admissions principles across London, the Council has the ability (within the confines of the School Admissions Code) to add provisions to the scheme which will best serve the residents of Croydon.

Fair Access Protocol (FAP)

- 3.69 Every local authority must have a Fair Access Protocol which is agreed with the majority of schools in the area. The protocol was last reviewed in 2013 so it is timely to consult with stakeholders on how the protocol can be improved to ensure that young people are speedily placed when it has not been possible to place them through the 'in year' process.
- 3.70 In preparation for consultation, the Council has worked with a core group of schools to undertake a first review of the protocol. The protocol is currently administered through primary and secondary FAP meetings and as these meetings have evolved, changes to the protocol are being proposed to strengthen and build upon existing performance.

Consultation

- 3.71 For the 2018/19 academic year, Admission Authorities are required to consult on their admission arrangements for a minimum of 6 weeks between 01 October 2016 and 31 January 2017, with arrangements determined by 28 February 2017.
- 3.72 Consultation took place between 10 November 2016 and 16 January 2017. Stakeholders were asked their views specifically on the proposed changes to the Admission Arrangements and the Fair Access Protocols and also for any other comments they might have.
- 3.73 The consultation document was provided online as well as a paper document to enable stakeholders to have a choice in responding to the consultation.

Consultation feedback

- 3.74 Consultation questionnaire

A total of 12 completed questionnaires have been received, of which the majority of respondents are in support of the proposed changes. A detailed breakdown of the responses is attached in Annex A.

Summary of responses for each proposed change:

- Proposal 1 - The definition of the sibling criterion
 - 9 – Support
 - 3 – Do not support

- Proposal 2 - The definition of the distance criterion
 - 8 – Support
 - 1 – Not affected/ Does not wish to answer
 - 3 – No response

- Proposal 3 - How children are added to waiting lists
 - 3 – Support
 - 4 – Against
 - 1 – Not affected/ Does not wish to answer
 - 4 – No response

- Proposal 4 - The definition of the medical criterion
 - 6 – Support
 - 1 – Against
 - 1 – Not Sure
 - 4 – No response

- Proposal 5 - How first preference offers are recorded
 - 8 – Support
 - 4 – No response

- Proposal 6 - Applicants requesting to be added to the waiting list for lower preferences
 - 6 – Support
 - 1 – Not affected/ Does not wish to answer
 - 5 – No response

- Proposal 7 - The linked infant to junior criterion
 - 5 – Support
 - 2 – Not affected/ Does not wish to answer
 - 5 – No response

- Proposal 8 - Clarification to the procedure setting out when a child with an Education, Health and Care Plan will be considered by the Fair Access Panel (FAP).
 - 5 – Support

- 2 – Not affected/ Does not wish to answer
 - 5 – No response
- Proposal 9 - Strengthening of the procedures at the pre Fair Access Panel meeting
 - 5 – Support
 - 2 – Not affected/ Does not wish to answer
 - 5 – No response
 - Proposal 10 - The number of other vulnerable and challenging pupils recently admitted to schools will be taken in to account when placement decisions are made
 - 6 – Support
 - 6 – No response
 - Proposal 11 - Clarification of the categories of vulnerable pupils considered at the panel to ensure they are compliant with the School Admissions Code.
 - 5 – Support
 - 1 – Not affected/ Does not wish to answer
 - 6 – No response

3.75 Full details of all responses to the consultation are given in the consultation analysis report provided in Appendix 3.

3.76 As a result of the consultation and the number of respondents against Proposal 3 – How children are added to waiting lists, the following changes to the admission arrangements are proposed:

- Children who apply for a school place through the in-year admission process and who receive an offer at a lower preference school would no longer be automatically placed on the waiting list for higher preference schools. Parents/carers would be required complete the waiting list request form available on the LA website in order to be added to waiting lists.
- Children who receive an offer at a lower preference school through the coordinated admission process (Reception, Junior and Secondary transfer) would continue to be automatically placed on the waiting list for higher preference schools. Parents/carers would not be required to complete the waiting list request form available on the LA website in order to be added to waiting lists.

3.77 These changes are set out in the Co-ordinated Schemes in Appendix 5. It is proposed that all other changes that were consulted upon should be agreed.

4 ACCESSIBILITY STRATEGY

4.1 To comply with legislative requirements set out in Schedule 10 of the Equality

Act 2010 every local authority must have an accessibility strategy for disabled pupils in maintained schools for which it is the responsible body.

Disabled person

- 4.2 A person is disabled if they have a physical or mental impairment that has a substantial and long term adverse effect on their ability to carry out normal day to day activities. A physical or mental impairment includes learning difficulties, mental health conditions, medical conditions and hidden impairments such as dyslexia, autism and speech, language and communication impairments (Equality Act 2010).

Special educational needs

- 4.3 It is important to note that some disabled pupils may also have special educational needs (SEN) and may be receiving support through the school-based SEN provision or an education, health and care plan (EHC plan). There is a requirement for schools to make reasonable adjustments so that disabled pupils with or without SEN are provided with the best possible education.

Maintained schools

Maintained schools include: community schools; special schools; voluntary aided schools; voluntary controlled schools; voluntary aided special schools; voluntary controlled special schools; and foundation schools where the school employs the staff and has responsibility for admissions.

- 4.4 The draft Accessibility Strategy (Appendix 7) will cover a period of 3 years. It sets out ways in which the Council will ensure that disabled pupils can take part fully in the education and facilities delivered by schools; and have the right access to the curriculum, physical environment and information. The strategy is to ensure that disabled pupils are not placed at a disadvantage compared to non-disabled pupils.
- 4.5 The draft strategy takes account of DfE 2014 guidance (The Equality Act 2010 and Schools) and responses from initial engagement with a number of schools, including governors, pupils and parents/carers. Details of this engagement is given in Appendix 7.
- 4.6 The next step is to further refine the draft Accessibility Strategy to ensure it is clear and contains sufficient information. This will be done through consultation with schools, parents/carers, pupils, staff, governors and with people who have special knowledge which can inform the Council's approach, such as disability equality groups and other relevant special interest organisations. The strategy will also be reviewed by the Education Estates working group.
- 4.7 It is proposed that consultation should take place in the Spring term using the document set out in Appendix 7, which will be available online and as a paper document.

- 4.8 Following consultation it is proposed that the Leader delegates the decision to agree the strategy to the Lead Member in consultation with the Executive Director for People.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1 Revenue and Capital consequences of report recommendations

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2016/17 Forecast Outturn £'000	2017/18 Budget £'000	2018/19 Budget £'000	2019/20 Budget £'000
<u>Capital Budget available</u>				
Expenditure	71,368	63,731	20,469	2,380
Effect of decision from report				
Primary permanent expansions	43,220	43,698	5,866	380
Secondary school Places	7,740	150	0	0
Delivery of SEN places	7,182	13,500	12,603	0
Major maintenance	3,960	2,000	2,000	2,000
Other education schemes	9,266	4,383	0	0
Total expenditure	71,368	63,731	20,469	2,380
Remaining budget	0	0	0	0
<u>Funding Sources</u>				
Targeted Basic Needs	8,579	0	0	0
Basic Needs	48,319	0	0	0
School Condition maintenance funding	2,497	2,104	2,000	0
EFA other funding	878	0	0	0
Borrowing	11,095	60,889	18,451	2,380
S106 funding	0	738	18	0
Total funding	71,368	63,371	20,469	2,380

5.2 The effect of the decision

The use of free schools to provide school places within the borough has led to a reduction in the requirements from the future capital programme. The Council has not been granted any Government funding for the delivery of school places beyond 2016/17. The only Government funding available in 2017/18 and 2018/19 is the school conditions maintenance grant. The majority of the funding from 2017/18 will be provided through Council borrowing. The updated Capital Programme will be approved in February 2017 as part of the annual budget report

5.3 Risks

If the proposed expansion projects are not approved, there is likely to be a shortage of primary school places for the 2017/18 and 2018/19 academic years, resulting in the Council not fulfilling its statutory duty. A decision is required for the implementation of the 2017/18 projects in order for planning application process to commence, and if permission is granted, building works can start at the schools. A decision is required for the 2017/18 proposed expansion projects so that the statutory process can start.

5.4 Future savings/efficiencies

If additional free school providers are interested in opening schools in Croydon, the cost to the Council could be reduced further in the future years. Also the Council borrowing requirement may also be reduced if any further funding is allocated by the Department for Education.

Approved by: Lisa Taylor, Assistant Director of Finance, Deputy S151 Officer

6. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER

- 6.1 The Solicitor to the Council comments that the local authority, as an admissions authority must set ('determine') admission arrangements annually. Under paragraph 1.42 of the School Admission Code 2014, where a local authority proposed changes to their admission arrangements, they must consult on the proposed admission arrangements. Local authorities have a general duty to consult on their admission arrangements at least once every 7 years, even if no changes are proposed.
- 6.2 The Council Solicitor notes that for the 2018/19 academic year, Admission Authorities are required to consult on their admission arrangements for a minimum of 6 weeks between 01 October 2016 and 31 January 2017, with arrangements determined by 28 February 2017. The local authority consulted on their admission arrangements between 10 November 2016 and 16 January 2017, and therefore this requirement is fully met.
- 6.3 The Council solicitor comments that the local authority has a duty to prepare accessibility strategies for the schools for which they are responsible under Schedule 10 of the Equality Act 2010.

- 6.4 Section 14(1) of the Education Act 1996 provides that a local education authority has a duty to secure that there are sufficient schools for providing education in their area.

(Approved by Jacqueline Harris-Baker Acting Council solicitor and Acting Monitoring Officer)

7. HUMAN RESOURCES IMPACT

- 7.1 There are no direct HR implications arising from this report. Any resultant future increases or changes in staffing will be handled by schools' governing bodies in accordance with the appropriate school/council policy and procedures.

(Approved by: Deborah Calliste, HR Business Partner, on behalf of the Director of Human Resources)

8. EQUALITIES IMPACT

- 8.1 An equality analysis has been undertaken to help us to understand whether people with protected characteristics, as defined by the Equality Act 2010, will be disproportionately affected by the proposed changes in the Education Estates Strategy report.
- 8.2 The proposed changes will help the Council meet its statutory duty to provide sufficient school places for protected and non-protected groups. Croydon schools provide diverse educational provision in terms of type/category, size and educational sponsors. These include special schools, enhanced learning provision at mainstream schools; pupil referral units and Academies /Free Schools. Pupils are allocated a school place based on admissions criteria which aim to promote fair access to schools and are compliant with the Admissions Code.
- 8.3 The draft accessibility strategy for disabled pupils will ensure that the Council is concordant with the requirement Schedule 10 of the Equality Act 2010 to prepare an Accessibility Strategy for disabled pupils in the schools for which they are responsible.
- 8.4 The equality analysis indicates that the proposed changes are likely to have a neutral or positive impact on equality groups that share a "protected characteristic" in terms of disability, race/ethnicity, gender, age, and religion/belief. Although the analysis focuses on specific equality groups, it is recognised that some people may fit into more than one group.
- 8.5 Some of the proposed changes in the report are recommendations to start consultation on proposed permanent expansion of schools and draft accessibility strategy for disabled pupils. Subject to Cabinet approval, formal consultation will take place when those with an interest and/or will be affected by the change, will be able to express their views / make representations on the proposals. Consultation feedback, including equality and diversity monitoring will be used to identify and respond to any differential impact on protected groups.

- 8.6 The Council will ensure that the proposed changes / policies and procedures / are fair and equitable and non-discriminatory to school staff, current and prospective pupils and parents/carers, particularly those with protected characteristics.
- 8.7 The proposed strategy is in line with the Council's Equality and Inclusion Policy and will enable the delivery of the following priorities:
- Make Croydon a place of opportunity and fairness by tackling inequality, disadvantage and exclusion.
 - Close gaps in educational attainment by working with local businesses and community groups to enable people of all ages to reach their full potential through access to quality schools and learning.
 - Work in partnership to lift people out of poverty by increasing employment opportunities across the borough ensuring local people have a pathway into employment, education and training.
- 8.8 The proposed strategy is consistent with the Council's general equality duty to have due regard to the need to eliminate unlawful conduct under the Equality Act 2010; to advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.

9. ENVIRONMENTAL IMPACT

9.1 N/A

10. CRIME AND DISORDER REDUCTION IMPACT

10.1 N/A

11. REASONS FOR RECOMMENDATIONS

The recommendations of this report are set out to:

- ensure that action can be taken to consult on new school places thus ensuring every child has access to a school place,
- agree an update to the maintenance plan to ensure that the limited budget provided to maintain community schools is distributed transparently to areas of greatest need,
- ensure the admission arrangements are agreed before they are determined by Full Council
- ensure that we consult on the statutory accessibility strategy so that a strategy can be formulated by the borough that is compliant with the law and developed in consultation with residents.

12. OPTIONS CONSIDERED AND REJECTED

School Place Planning

12.1 Detailed consideration has been given to how additional school places should be proposed for delivery. Projection information has been used to inform the council of the geographical areas where places should be delivered. Previous Education Estates Report (January and July 2016) have set out the new schemes to deliver new school places through the free school route.

CONTACT OFFICER: Jennifer Duxbury, Head of School Place Planning and Admissions, 020 8604 7156

Appendices printed separately:

Appendix 1 – Detailed programme budget 2016/17 to 2019/20

Appendix 2 – School Maintenance Plan (including assigned budgets)

Appendices 3-6 will be subject to change before the Cabinet meeting as the consultation ends on 16/01/17. An addendum will be circulated to detail the changes if there are any.

Appendix 3 – Analysis of the Admission Consultation

Appendix 4 – Proposed Admissions Arrangements 2018/19

Appendix 5 – Proposed Co-ordinated schemes

Appendix 6 – Proposed Fair Access Protocols

Appendix 7 – Draft Accessibility Strategy

Background documents provided as link on website agenda

1. School Place Planning Projections
2. a. School Place Planning Areas (Mainstream Primary)
b. School Place Planning Areas (Mainstream Secondary)
3. Statutory steps of proposed school expansion consultation.
4. Equality Analysis Form