

**For General Release**

<b>REPORT TO:</b>	<b>CABINET 22 January 2018</b>
<b>SUBJECT:</b>	<b>Education Estates Strategy</b>
<b>LEAD OFFICER:</b>	Barbara Peacock - <b>Executive Director, People</b> David Butler – <b>Director, Education and Youth Engagement</b> Denise Bushay - <b>Head of Service, School Place Planning and Admissions</b>
<b>CABINET MEMBER:</b>	Cllr Flemming, <b>Children, Young People and Learning</b>
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:</b> 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.	
<b>FINANCIAL IMPACT</b> The overall cost of the Education Capital Programme is estimated at £106.72m over the period 2017/2018 – 2020/2021. This includes a request for additional £3m for Fire Safety works in community schools and as in previous years an additional £2m for Major Maintenance Works for 2020/21. Appendix 1 provides a detailed breakdown of the scheme costs and funding.	
<b>KEY DECISION REFERENCE NO.:</b> 0118CAB (For recommendations 1.1 & 1.7) This is a Key Decision as defined in the Council's Constitution. The decision may be implemented from 1300 hours on the expiry of 5 working days after it is made, unless the decision is referred to the Scrutiny & Overview Committee by the requisite number of Councillors.	

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 to:

**School Place Planning**

- 1.1 agree Croydon's School Place Supply Strategy (tables 1, 2 & 3) for the next 3 academic years – 2018/19 to 2020/21 - and the funding to deliver these additional places (Appendix 1 – Capital Programme Budget summary)

- 1.2 note the review of pupil projections undertaken in July – projections vs available school places – Appendix 2.

### **Special Educational Needs**

- 1.3 note update on Croydon's new special free school that has been approved by Department for Education (DfE)
- 1.4 note proposed partnership with Croydon Further Education (FE) college to establish new local post 16 places in an SEN Centre of Excellence
- 1.5 note the continued planned expansion of secondary autism Enhanced Learning Provision at Oasis Coulsdon and Oasis Arena.

### **School Admissions**

- 1.6 agree to recommend to full Council that it determine the proposed Admission Arrangements for Croydon's community schools for the 2019/20 academic year (Appendix 2a), including the responses to consultation on the proposed reduction of the PAN for Norbury Manor and Monks Orchard Primary Schools (Appendix 2b) and adoption of the proposed Pan London co-ordination arrangements (Appendix 2c).

### **School Maintenance and Compliance**

- 1.7 approve the proposed Schools' Maintenance Plan for 2017/18 and 2018/19 – Appendix 4 – including an additional £3m for fire safety works in community schools and as in previous years £2m for the 3 year programme for major maintenance work to be carried out in 2020/21.

## **2. EXECUTIVE SUMMARY**

### **School Place Planning**

- 2.1 In accordance with the Education and Inspections Act 2006 ("EIA") the Council has a statutory duty to "secure that sufficient schools for providing— (a) primary education, and (b) secondary education are available for their area" as well as to "secure diversity and increase opportunities for parental choice when planning the provision of school places" in the borough. The Council also has statutory duty to manage a potential surplus of schools places.
- 2.2 The proposed School Places Supply Strategy (tables 1 & 2) is based on officers' projection of the number of additional places that will be required at planning area level, over the next 3 academic years to ensure sufficiency of school places. Over the 3 year period, in the primary educational phase, an additional 8 forms of entry (FE) (240 reception places) will be provided, including 2 new free schools; and 12FE (an additional 360 Year 7 places) through the establishment of 2 new secondary Free Schools. Appendix 2 sets out the Council's projections versus available places.
- 2.3 In consultation / agreement with the School Leadership Team at Norbury Manor School Primary, the Office for Schools Adjudicator (OSA) approved an in-year variation / reduction of the school's PAN, from 90 to 60 for the

2017/18 and 2018/19 academic years. Officers are also in the process of applying to the OSA regarding in-year variation of Monks Orchard Primary school's PAN from 90 to 60. Following statutory consultation, we are recommending the reduction of the PAN for Norbury Manor and Monks Orchard Primary schools, by 1FE, for the 2019/20 academic year. Overall, a total of 29 responses were received during the consultation for both schools regarding the proposed reduction of the schools admission number. The results are mixed with:

Monks Orchard Primary school

- 28% in support of the proposed change
- 38% do not support the proposed change
- 10% not sure

Norbury Manor Primary school

- 31% in support of the proposed change
- 38% do not support the proposed change
- 12% not sure

2.3.1 Respondents were mainly concerned about the impact of the proposal on transfer from nursery to primary, siblings, increase in demand and job losses.

2.3.2 A detailed outcomes report, including the Council's response to concerns is attached at Appendix 3a.

Special Educational Needs and Disability (SEND)

2.4 The Local Authority has a duty to provide education for young people for whom the Education, Health and Care (EHC) Plans are maintained. The local school places need to provide education which is suitable and an efficient use of public resources, having due regard to parental preference. The Council has a vision for young people such that they have access to local education that is good or outstanding.

2.5 Following Croydon's successful bid to DfE for a new Special Free School to be opened in the Borough, officers have now sought and received proposals from potential sponsors. The DfE/Regional Schools Commissioner (RSC) and Croydon will interview shortlisted proposers, determine and national announcements will be made in March/April about the providers appointed to deliver the education in the 19 new schools across the national Wave 12 programme. The school will offer 150 places to children aged 2-19 years, with autism and learning difficulties, with the aim of providing a local pathway from the early years to adulthood. The proposed date for the first phase of the school to be opened is September 2020.

2.6 Over the next 3 years, in addition to the new special free school which will provide 150 places, additional places will be provided through the expansion of existing special schools, Academies and working with the local FE college to provide 75 places including post 19 transition year for those young people with complex needs to provide pathways to independence and supported employment in Croydon.

### **School Admissions**

- 2.7 The Council is the admissions authority for all community schools within the borough and is therefore statutorily responsible for ensuring that admission arrangements are compliant with the School Admissions Code, 2014. A key part of this is a requirement to determine the Admission Arrangements for its schools annually even if they have not changed from previous years, and to consult on proposed change or at least once every 7 years if there has been no change in that period.
- 2.8 The Council is also responsible for having in place a scheme for coordinating admission arrangements. Croydon has participated in a Pan London arrangement for the Co-ordinated Admissions rounds for both primary and secondary applications for several years.
- 2.9 There are no proposed changes to the oversubscription criteria currently in place for Croydon's community schools. However there are proposed changes relating to reduction of the PAN for Norbury Manor and Monks Orchard Primary schools for the 2019/20 academic year by 30 reception places each, as part of the community schools' published admission arrangements – Appendix 2a.
- 2.10 The Council consulted stakeholders, including parents/carers, on the proposed reduction of Norbury Manor and Monks Orchard Primary schools' PAN between 8 November and 20 December 2017. A detailed outcomes report is attached at Appendix 2b.
- 2.11 The annual school admissions arrangements are part of the Council's policy framework and as such require determination by the full Council. The Council is required by statute and regulations to approve its admissions policies for the schools it is responsible for the 2019/20 academic year (including Published Admissions Numbers – PANs) by 28 February 2018. Accordingly Cabinet is requested to recommend to full Council that it determine the proposed Admission Arrangements for Croydon's community schools for the 2019/20 academic year (Appendix 2a), including the responses to consultation on the proposed reduction of the PAN for Norbury Manor and Monks Orchard Primary Schools (Appendix 2b) and adoption of the proposed Pan London co-ordination arrangements (Appendix 2c).

### **Schools' Maintenance and Compliance**

- 2.12 The effective maintenance of school buildings is essential to support and enhance the delivery of education. School buildings are an important part of the Councils' assets. The Council has a duty to ensure that its school buildings meet the minimum standard and premises are maintained so that: they are safe, warm and weather tight and provide a suitable learning environment; emergencies are dealt with promptly and effectively; and the management and procurement of maintenance works is carried out efficiently.
- 2.13 The Council is the employer for community schools, community special schools, maintained nursery schools and pupil referral units and is responsible for larger condition and maintenance works. It has a duty to ensure that appropriate arrangements are in place to monitor and review any preventative and protective measures that have been implemented. 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.

#### Schools' Maintenance Plan

- 2.14 The Schools' Maintenance Plan (Appendix 4) contains the planned repairs and maintenance programme for two years (2017/18 – 2018/19). Some of the condition-related works e.g. heating, and electrical, listed in the plan are classified as priority because they have a direct bearing on schools' ability to function and are prioritised to prevent schools from closing. As such, it is important that capital is set aside on an annual basis to address the most pressing of these demands. The Plan has been developed using information from the Council's commissioned condition surveys. The capital allocation proposed by this report will deal with over half of Priority 1 issues identified in maintained schools' condition surveys. As in previous years and as part of forward planning, we are seeking £2m to cover major maintenance in community school buildings.

#### Fire Safety in Schools

- 2.15 The Council has commissioned a fire safety review of the Croydon's community school estate to gain a comprehensive overview of the fire safety position so that current and future needs can be identified and plans put in place to address any identified issues. This is additional to the fire safety rectification works undertaken as part of the planned maintenance programme. This review will be focusing on the management of fire safety and the condition of the building in terms of fire safety performance. To date, officers have obtained Fire Risk Assessments (FRAs) from community schools and are working with the Homes and Schools Improvement Team to deliver a fire safety regularisation programme to ensure that all community schools are safe and continuously compliant. The FRAs are being used to conduct a desktop analysis of fire safety in schools which will be followed by site visits. We are therefore seeking a total of an additional £3m to cover fire safety works that will be carried out in community schools during 2018/19 (£2m) and 2019/20 (£1m) after this 2 year period, fire safety will be part of the major maintenance programme.

#### Asbestos Management

- 2.16 School buildings may contain asbestos if any part was built before 2000. The Control of Asbestos Regulations 2012 set out the steps to be followed to manage asbestos in schools, including keeping the management of asbestos under review. Croydon has successfully commissioned full asbestos management surveys within its community schools estate. Where asbestos is present, the necessary works will be undertaken to manage or remove as required. This will be maintained through annual asbestos inspections.
- 2.17 The delivery of the programme is managed by the Homes and Schools Improvement Team and Facilities Management with oversight from the School Places Team.

### **3. DETAIL**

#### **School Place Planning**

- 3.1 Local Authorities are under a statutory duty to secure sufficient education provision within their areas and to promote higher standards of attainment. In its strategic role as commissioner of school places, the Council must respond to changes in demand over time by either increasing or removing school places.
- 3.2 To fulfil its duties, the Council is required to manage the supply and demand for school places by forecasting future demand for school places within the educational planning areas – 6 for the primary phase and 2 for the secondary phase. This may result in the need for additional places when demand increases, or reduction of places when demand decreases. The forecasts of pupil numbers are also essential in providing the Department for Education (DfE) with information to support basic need capital allocations.
- 3.3 The Education Act 2011 changed the arrangements for establishing new schools (now section 6A EIA) and introduced the academy and free school presumption. This means that where a local authority thinks a new school needs to be established, the local authority is under a duty to seek proposals to establish an academy (free school).

- 3.4 Projections vs Available places (Appendix 2)  
Based on Croydon's recent School Capacity (SCAP) Survey and forecasts of pupil numbers submitted to the DfE in July 2017, our latest estimates suggest that there will be sufficient places in Croydon primary and secondary schools to accommodate children for the next 3 years. Currently, there is a higher level than necessary of surplus places in some of the primary planning areas. We are currently working with the relevant schools to manage this surplus.

Forecasting demand for school places

- 3.5 In conjunction with our regular review of the demand for school places, we commission the Greater London Authority School Roll Projection service to undertake an annual forecast of the number of pupils who will need a school place in the future. These projections are used by the Council to inform its annual return (SCAP) to the Department for Education (DfE) for assessment of basic need allocation; and to develop strategies to make sure that the right number of places are in the right locations at the right time, which include either creating additional school places or removing places.
- 3.6 A variety of data sources are used to forecast future demand for places in the primary educational phase, such as, historical trends in admissions, current numbers on roll from the school census data and the historic birth rate. For the secondary educational phase, the main sources of data used are the current numbers on roll and historic trends in admissions from Year 6 in primary schools. Child yield – the likely number of pupils that will require an additional school place - from planned housing developments across the borough is also incorporated in our forecasts of future demand for school places.

School Places Supply Strategy

- 3.7 In discharging its duty for sufficiency of school places, the Council works in partnership with different education providers – Academy Trusts/Free Schools and Diocesan Authorities – to determine the need for places and to secure

diversity in educational provision across the borough, taking into account parental choice. The need for additional school places is determined by assessing the capacity of existing schools and forecasting future demand for places.

- 3.8 If the demand for school places increases, the Council can expand existing schools on a temporary or permanent basis, or new schools can be established through the free school presumption. If demand decreases, the number of places at existing schools can be reduced through an in-year variation of the schools' admission number via the Office for Schools' Adjudicator or through consultation on the admission arrangements.
- 3.9 The School Places Supply Strategy (tables 1 & 2) –the provision of additional school places takes account of projects previously planned / agreed and includes those that will be provided through the free school route. These places will be in areas where demand for school places can be expected to increase in the future. The demand for school places is unevenly spread across the planning areas, with pressure in some areas and spare capacity in others.

Proposed reduction of Published Admission Number

- 3.10 The growth in Croydon's population over the last decade has put pressure on primary school places, necessitating a huge expansion in capacity. Several new schools were opened and therefore additional places were provided to meet the growth in demand. There has been a 5% drop in birth rate in 2013 which has resulted in falling school rolls and a high level than necessary of surplus places in some of the educational planning areas. It is advisable to have between a 5-10% surplus of places to deal with fluctuation in population, unexpected growth in demand, in-year applications and parental preference.
- 3.11 A large portion of funding received by schools is directly related to the number of pupils attending the school. Too many vacancies in schools mean that schools will not receive the maximum revenue possible. Therefore we are monitoring the admission numbers in schools with falling rolls.
- 3.12 To date, an agreement has been reached with the School Leadership Team at Norbury Manor School Primary and the Office for Schools Adjudicator has approved an in-year variation / reduction of the school's PAN from 90 to 60 for the 2017/18 and 2018/19 academic years. Following statutory consultation, officers are recommending the reduction of the PAN for Norbury Manor and Monks Orchard Primary schools by 1FE – 30 reception pupils - for the 2019/20 academic year. Accordingly Cabinet is requested to recommend to full Council that it determine the proposed Admission Arrangements for Croydon's community schools for the for the 2019/20 academic year (Appendix 3), the responses to consultation on the proposed reduction of the PAN for Norbury Manor and Monks Orchard Primary Schools (Appendix 3a) and adoption of the proposed Pan London co-ordination arrangements (Appendix 3b).
- 3.13 Croydon has a diverse range of educational provision, as outlined below:

- A total of 88 primary schools, of which:
  - 29 are maintained / Community schools
  - 59 are non-maintained: 46 Academies, 2 Free Schools and 11 Voluntary Aided schools
- A total of 23 secondary non-maintained schools, of which:
  - 6 are Voluntary Aided schools
  - 16 are Academies
  - 1 Free school
- A total of 8 Special schools

3.14 Croydon's School Places Strategy for primary and secondary schools is outlined below and in tables 1 & 2:

**3.15 Proposed number of additional places to be provided in the Primary phase to meet demand:**

- 2018/19 academic year, an additional 2FE (60 reception places)
- 2019/20 academic year, an additional 6FE (180 reception places)
- 2020/21 academic year, no additional places planned

**Table 1 - Proposed 3 year primary school supply strategy**

Planning Area	Academic Year 2018/19	Academic Year 2019/20	Academic Year 2020/21
North West		New Free School: Ark Bayes Primary 3FE (90 Reception places)	
East		Existing School: Robert Fitzroy Academy: 1FE (30 additional Reception places)	
Central	Existing Free School: Krishna Avanti Primary:1FE (30 additional Reception places)		
South East			

South		New Free School: Collegiate Free Primary: 2FE (60 Reception places)	
South West	Existing School Permanent Expansion: Smitham Primary 1FE (30 additional Reception places)		

*In 2018/19, a total of 60 Reception places will be available at Krishna Avanti which is the original intended PAN for the school. This increase has been deferred from 2017/18 to 2018/19.*

*In 2019/20, Robert Fitzroy Academy will revert to its original higher PAN of 120 Reception places as per the academy's Funding Agreement.*

### 3.16 Proposed number of additional places to be provided in the Secondary phase to meet demand

- 2018/19 academic year, an additional 6FE (180 Year 7 places)
- 2019/20 academic year, no additional places planned
- 2020/21 academic year, an additional 6FE (180 Year 7 places)

**Table 2 - Proposed 3 year secondary school supply strategy**

Planning Area	Academic Year 2018/19	Academic Year 2019/20	Academic Year 2020/21
North			New Free School: Ark Blake: 6FE (180 Year 7 places)
South	New Free School: 6FE (180 Year 7 places)		

*The opening of Ark Blake Academy has been deferred from 2019/20 to 2020/21.*

### 3.17 Special Educational Needs and Disability

The Council as an education authority has specific duties in relation to

provision of education for children with special educational needs (SEN). The main duties include: to identify whether a child for whom they are responsible has SEN; and to assess a child who in their opinion has SEN. If the assessment shows that it is necessary, to make an EHC Plan: determining the child's needs and the educational provision required and to ensure the specific provision set out in the Plan is provided. In addition, in carrying out its duties under Part 3 of the Children and Families Act 2014, local authorities must have regard to the importance of providing children and their parents and young people with the information and support necessary to participate in decisions.

- 3.18 Croydon's vision for young people with special educational needs and disabilities is that these young people are included within the community of Croydon and are given the same opportunities as others to access education to live fulfilled lives, gaining employment and living as independently as possible.

#### New Special Free School

- 3.19 To meet increased demand for special school places for children with autism and learning difficulties (aged 2 -19) the Council successfully bid for capital funding from the Education and Skills Funding Agency (ESFA) to develop a new free special school. Croydon was one of 19 Councils which were successful in having bids approved. The competition for providers to apply to run these special schools is being coordinated in partnership nationally by the ESFA and locally by Croydon Council.
- 3.20 The process for selecting the special school provider is underway. A local launch to attract a suitable free special school provider was held on 27th September 2017. Potential providers submitted applications by the deadline of 24 November. Currently a process of short-listing is being undertaken, this will be concluded both locally and nationally by the end of December 2017.
- 3.21 Providers who are successful in being shortlisted for Croydon's new special free school will be interviewed in mid-January. Announcements about the appointment of providers will be made nationally by Easter.
- 3.22 The proposed site of the new SEN free school is the Timebridge Community Centre, Field Way, New Addington, subject to Local Plan adoption in early 2018 and subsequent planning consent. Croydon Council is keen to secure a state of the art building which includes facilities which can be shared with the community. The Council has applied to self-deliver the new building by September 2020 ready for opening.
- 3.23 The planned increase in specialist places for children with autism continues to be addressed through previously agreed expansion of ELP places. From September 2018, Oasis Academy Coulsdon will have a further 5 places taking the total to 25 places within the ELP. Oasis Academy Arena will increase by 12 ELP places taking the total number of places to 24.
- 3.24 There will be an increase in commissioned places at Bramley Bank Key Stage 2 Pupil Referral Unit long and short stay provision. The increase is from 18 to 34, with 18 long stay and 16 short stay.

### 3.25 Bensham Manor Special School

Specialist secondary places at Bensham Manor have been heavily over-subscribed for September 2018/19 with 50 applications for 30 places. To meet sufficiency duties the school will provide additional places for September 2018 in bulge classes within existing facilities.

### Post 16 SEN places

- 3.26 There has been a rise in the number of students with complex Special Educational Needs and Disabilities (SEND), including, in particular, autism. The number of children and young people for whom the Borough maintains an Education, Health and Care Plan (EHCP) has risen from 1800 to 2500 (2010-2017). Currently approximately 70% of these young people who are post 16 attend school or FE college travel outside of the Borough to access specialist SEN provision due to the lack of facilities in Croydon.
- 3.27 To deliver 75 SEN specialist post 16 education places by 2021. Croydon Council and Croydon FE College are submitting bids for capital funding to develop an SEN post 16 Centre of Excellence which will enable the establishment of the specialist education and training needed to enable young people with SEN to have their needs met in Croydon. This will reduce the number of young people leaving the borough for their education and increase the number of young people with SEND who have real opportunities for sustained employment in or near their local community. There will also be a saving from already increasing transport costs as a result of educating more young people in the borough.
- 3.28 The Borough's funding for children with an EHCP has become increasingly under pressure due to increased volume and cost. Where the Borough lacks capacity to provide special educational needs education, placements have been made in the independent sector at a high cost. Consequently the Borough's High Needs Block is forecast to overspend by £7.8 million, an increase of more than £3 million on last years' spend. The final report supporting a five year High Needs Funding strategy is awaited, early feedback has signaled key areas for development:
- Increase autism specialist school and Enhanced Learning Provision (ELP) places
  - Increase post 16 FE SEN specialist places
- 3.29 New provision for post-16 SEN students at Croydon College would have the benefits of:
- Enabling students to learn closer to home
  - Enabling engagement with local employers
  - Reducing demand on the SEN transport budget, resulting in budget savings.
- 3.30 We are ambitious for our young people with SEND. The FE education provided by Croydon College will be for students with autism and complex learning difficulties and/or disabilities. The development will be phased over a period between 2018/19 - 2020/21. The proposed SEN Supply Strategy is at table 3.

### Special Provision Fund Allocation

- 3.31 In March 2017 the Government announced the allocation of a special provision fund for Local Authorities to support capital investment in provision for pupils with special educational needs and disabilities. The funding will be allocated on an annual basis over a three year period 2018-2021.
- 3.32 The fund is to be used to create new places and make improvements to facilities and can be applied to mainstream, special schools, nurseries, colleges and other education provisions. The use of the fund needs to be consistent with the strategic plan that is drawn up for children with high needs and must address the Local Authority's statutory duty under the Children & Families Act 2014 to keep education provision for children with SEN under review including its sufficiency. It will complement the high quality places that have already been delivered including Beckmead College which opened in September 2017.
- 3.33 Croydon's allocated special education provision fund is £968,855 annually; with a total of £2,906,565 being allocated by 2020/21. The allocation is based on projected population growth.
- 3.34 Croydon's Dedicated Schools Grant High Needs Block was overspent at the end of the financial year 2016/17 by £5.7m attributable to increase in numbers of children with an EHC Plan and an over-reliance on independent school sector placements. The latter being principally due to insufficient local specialist education places. A key focus of the approach to application of the special provision fund will be invest to save.
- 3.35 The outcome will be a five year strategic plan which is based on careful analysis of data and the views of stakeholders. The plan will inform future education place planning and short breaks commissioning. The aim is to ensure that investment is focused on development of a coherent pathway that leads to increased numbers of young people with SEN engaged in employment and/or living independently with support in or near their local community.

### Demand and Capacity Review

- 3.36 Consultants PPL (Private, Public Limited) have undertaken the 0-25 SEND Demand and Capacity Review which was DfE grant funded. The full report including a recommended approach for future five year modelling of High Needs funded places is due imminently and will be reported in full in the July 2018 Education Estates Report.

**Table 3 – Proposed 3 year SEND school places supply strategy**

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

Planning Area	Academic Years 2017/18/19	Academic Year 2019/20	Academic Year 2020/21
Additional SEN provision	<p>Existing schools:</p> <ul style="list-style-type: none"> <li>• 2FE permanent expansion of St Nicholas</li> <li>• Nurture provision in 2 primary schools for pupils with SEMH – 24 places</li> <li>• 2FE temporary expansion of Red Gates (age 4-11)</li> <li>• Beckmead Family of schools –</li> <li>• Chaffinch Brook School – increase to include Year 9</li> <li>• Beckmead School (Tharreo House) increase of 14 places (social, emotional, mental health and/or anxiety, stress, phobia related learning difficulties).</li> <li>• 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</li> <li>• ELP at Oasis Coulsdon and Arena increasing by 5 (total 25) and 6 places respectively (total 12).</li> </ul>	<p>Existing schools:</p> <ul style="list-style-type: none"> <li>• 1FE proposed permanent expansion of St Nicholas (age 4-11)</li> </ul> <p>Post 16 SEN provision to be developed in partnership with Croydon College on current site – dependent on outcome of capital bid. Proposed numbers from September 2018/19 – 15 post 19 places.</p> <ul style="list-style-type: none"> <li>• Oasis Arena ELP additional 6 places</li> <li>• Proposed special school satellite (15 places) in mainstream secondary to provide local places for YP seeking Bensham Manor places</li> <li>• Enhancement of existing ASD ELP (e.g. Meridian) provision to ensure equity of offer.</li> <li>• Review suitability of secondary specialist arrangements – recommendations to education estates board.</li> <li>• Review early years specialist provision.</li> </ul>	<p>Proposed new Free Special School:</p> <ul style="list-style-type: none"> <li>• 150 places for boys and girls with Autism and Learning Difficulties (age 2-19) – proposed site Timebridge, Fieldway. Opening in September 2020 with 80 places increasing to 150 over the period up to Sept 2023</li> </ul> <p>Visit <a href="http://www.croydon.gov.uk/freeschool">www.croydon.gov.uk/freeschool</a></p> <ul style="list-style-type: none"> <li>• St Nicholas continued expansion X 2 classes each year for 6 years from 2020/21</li> <li>• Post 16 SEN provision at Croydon FE College (dependent on capital funding) 35 places from Sept 2019 and 70-75 from September 2020.</li> <li>• Review suitability and sufficiency of PMLD/physical disability places (e.g. St Giles) – equipment changes and arrangements for building storage etc.)</li> <li>• Review and ensure sufficiency of Alternative Provision</li> </ul>

*The proposed additional 1FE permanent expansion of St Nicholas Special School in 2019/20 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 by a total of 2FE from the current numbers).*

- 3.37 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.

#### **4. School Admissions**

- 4.1 In line with the Schools Admission Code, 2014, Admission Authorities, including Local Authorities are responsible for ensuring that admission arrangements are compliant with the School Admissions Code. This includes consulting on proposed changes to admission arrangements annually and 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. The admission arrangements include the admission criteria (oversubscription criteria) - the priority order used to decide who to admit to a school if there are more applications than available school places.

#### **4.2 Co-ordinated Scheme**

The Co-ordinated Scheme is the process by which local authorities co-ordinate the distribution of offers of places for schools in their area. All local authorities are required to co-ordinate the normal admissions round for primary, junior and secondary schools in their area. Schools can take in-year applications directly from parents, provided they notify their local authority of each application and its outcome.

- 4.3 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. The Cabinet is recommended to approve the arrangement for the 2019/20 academic year to allow this participation to continue.

#### **Admission Authority**

- 4.4 The Council is the Admission Authority for Community schools as set out in Appendix 2a to this report and is therefore responsible for determining the Admission Arrangements for these schools. Admission Arrangements must be determined annually for the next education year. The Admission Arrangements are part of Croydon's policy framework and must be determined by the full Council.

#### **Admission Arrangements**

- 4.5 Admission Authorities are required to consult on their Admission Arrangements for a minimum of 6 weeks between 1 October 2017 and 31

January 2018. The Council consulted on its 2019/20 Admissions Arrangements for Community schools - Appendix 2a – from 08 November to 20 December 2017. The proposed arrangements are the same as those which applied for the 2018/19 academic year, except for the proposed reduction of Norbury Manor and Monks Orchard Primary Schools' PAN by 1FE each. Cabinet and full Council is recommend to agree/determine the proposed Admission Arrangements for Croydon's community schools for the 2019/20 academic year.

4.6 The Council consulted on the proposed reduction of Norbury Manor and Monks Orchard Primary Schools admission number from 08 November to 20 December 2017. A total of 29 completed questionnaires were received for both schools.

4.7 Monks Orchard Primary - all respondents (29) commented on the proposed reduction of Monks Orchard Primary School admission number. The results are mixed:

- I support the proposed changes = 8
- I do not support the proposed changes = 11
- Not Sure = 3
- Not affected by/do not want to answer = 7

4.8 Norbury Manor Primary - 16 responses received to questions relating to the proposed reduction of Norbury Manor Primary School admission number.

- I support the proposed changes = 5
- I do not support the proposed changes = 6
- Not Sure = 2
- Not affected by/do not want to answer = 3

4.9 A detailed consultation outcomes report is attached at Appendix 2b.

## 5. Schools' Maintenance and Compliance

5.1 Local Authorities have responsibility to maintain school buildings so that they are safe, warm and weather tight and provide a suitable learning environment, including dealing with emergencies promptly and effectively and managing and procuring maintenance works efficiently. A school's premises comprise of the land and all the buildings provided for the school, including both permanent and temporary buildings and detached playing fields.

5.2 As school buildings age, they present age related issues and there is a continuing need to maintain the buildings to the required standard to provide a safe and encouraging learning environment.

5.3 The Council is responsible for the larger condition and maintenance works in maintained schools. 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.

- 5.4 The Schools Compliance and Maintenance Team have a good understanding of our school estate to support clear decision making regarding ongoing repairs and maintenance activities, capital spending and wider property issues.
- 5.5 To enable the Council to determine its schools maintenance priorities, condition surveys have been carried out throughout the relevant school estates to determine the condition of the building and the equipment within each school.  
The nature of the building elements and its equipment is recorded and categorised by its state of repair and or its life expectancy.
- 5.6 The School's Maintenance plan has been developed using information from condition surveys commissioned by the Council. 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).
- 5.7 Priority projects and reactive works include: boilers, heating, roof works, windows and electricals, Gas leak repairs, replacement Water tank remedial electrical works and fire doors replacements.

#### Fire Safety in Schools

- 5.8 The Regulatory Reform (Fire Safety) Order 2005 requires schools to undertake risk assessments to identify the general fire precautions needed to safeguard the safety of occupants in case of fire, including their safe means of escape. These will include ensuring procedures are in place to reduce the likelihood of fire, and maintenance of gas and electrical equipment.
- 5.9 In conjunction with the Council's Corporate Fire Safety strategy, we have commissioned a full fire safety audit in community schools to provide an overview of the fire safety, focusing on the management of fire safety and the condition of the building in terms of fire safety performance to allow a corporate response and strategy to be considered. This is additional to the fire safety rectification works undertaken as part of the planned maintenance programme.
- 5.10 The main objectives of the audit are as follows:
- Establish the current Fire Safety measures implemented within LBC Schools.
  - Assess Fire Safety against industry regulations and standards
  - Identify any gaps in schools current Fire Safety
  - Recommend and prioritise corrective actions
  - Cost and programme improvement works
- 5.11 In order to achieve the objectives identified above, a survey has been developed which consists of a review of the current fire safety management and a visual non-intrusive inspection of the school using the schools' Fire Risk Assessment (FRAs) to identify potential gaps in each school's current fire safety. This will allow corrective actions to be identified, prioritised and then costed. This will be followed by site visits to undertake the physical visual inspection of the schools' building condition. An additional budget of £3m is being requested to carry out the necessary works based on the

schools' Fire Risk Assessment, over 2018/19 and 2019/20, after which fire safety will be part of the major maintenance programme.

#### Asbestos Management

- 5.12 It is extremely important that any asbestos present in Croydon schools are managed properly. Failure to follow the Control of Asbestos Regulations 2012 and any corrective measures may put the future health of staff, pupils and visitors at risk.
- 5.13 Where asbestos is present, the council take the following steps to manage the asbestos in our schools ensuring they have the following:
- Management survey of asbestos-containing materials (ACMs)
  - Assess the risks associated with ACMs.
  - A plan for managing asbestos.
  - Make sure staff and visitors know the risks and precautions they need to take.
  - Keep the management of asbestos under continuous review.
- 5.14 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 Schools' Maintenance Plan – Appendix 4

- 5.15 All school buildings should facilitate education within a weather tight and safe environment and the purpose of the Councils School Maintenance plan is to achieve this. As school buildings are important long term assets, it is imperative to have a continuous, robust maintenance plan in place for every type of school building to ensure the health and safety of our children and supports educational performance.
- 5.16 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 are items which could lead to school closure (predominantly roofing and heating works).
- 5.17 The resulting 2017/18 and 2018/19 programme is set out in Appendix 4. The programme for 2018/19 is set at the level of just over £3m per year based on the valuation of identified works. In addition, we are seeking an additional £3m for Fire Safety works that will be carried out in Croydon's community schools for works to be completed between 2018/19 and 2019/20. As in previous years £2m for forward planning for major maintenance work to be carried out in 2020/21. The Central Government published the School's Condition Allocation for 2017/18-2018/19 was £3,771,786). The allocated funding will be added to next year's schools' maintenance budget and the

programme of works will be presented to the Cabinet for approval. A more detailed programme for 2019/20 will be provided in the July cabinet update report.

- 5.18 In reviewing this programme we have increased the proportion of the budget for 2017/18 (£400,000) for the reactive works on major maintenance projects which comprise only the most serious works to emergency and reactive works and included the slippages and retention of £650,000 from last year's work.

Reactive works

- 5.19 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.

- 5.20 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

- 5.21 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 and added social value.

**6. CONSULTATION**

- 6.1 N/A

**7 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

**7.1 Revenue and Capital consequences of report recommendations**

	Current year	Medium Term Financial Strategy – 3 year forecast		
	2017/18	2018/19	2019/20	2020/21
	£'000	£'000	£'000	£'000
<b>Capital Budget available</b>				
Permanent Expansion – Primary places	35,094	11,639	896	
Secondary places	689			
SEN places	4,626	16,750	8,612	969

Major maintenance	2,724	3,020	2,000	2,000
Fire safety works		2,000	1,000	
Other education schemes	5,750	2,118	6,833	
<b>Effect of decision from report (Total)</b>	<b>48,883</b>	<b>35,527</b>	<b>19,341</b>	<b>2,969</b>
<b>Funding sources</b>				
School Condition Funding	7,316	3,770		
Basic Needs	5,841*	0	6,833	
EFA Invest to Save	0	969	969	969
S106	963			
Borrowing		30,788	11,539	2,000
<b>Total</b>	<b>48,883</b>	<b>35,527</b>	<b>19,341</b>	<b>2,969</b>

\*includes amounts slipped from 2016/2017

### **The effect of the decision**

- 7.2 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 in 2018/2019. Slippage has meant that the grant for Basic Needs and Schools Condition Funding has been carried forward into 2017/2018. Additional Government funding available in 2018/2019 is an allocation from the School Conditions fund. The government's Soft Drinks Levy may result in a further allocation in 2018/2019, but this has not been confirmed. There will also be a further Basic Need Allocation in 2019/2020. The majority of the funding for 2018/2019 will be provided through Council borrowing.

### **Risks**

- 7.3 If the proposed expansion projects are not approved, there is likely to be a shortage of primary school places and SEND for the 2018/2019 and

2019/2020 academic years, resulting in the Council not fulfilling its statutory duty.

Additional budget is being sought for fire safety measures in order to carry out the works as identified in the Fire Risk Assessments. The total cost of this work has yet to be fully quantified and will be updated in future budget requests. If this work is not carried out, there would remain gaps in schools' fire safety measures.

### **Future savings/efficiencies**

- 7.4 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. The fall in birth rate and associated demand for school places would however result in reduced demand and this would be monitored closely to make future savings.
- 7.5 The provision of more school places within the borough will result in a reduction in the need for young people to travel outside of the borough, which will result in financial savings to the SEND transport budget.

*(Approved by: Lisa Taylor Director of Finance Investment and Risk)*

## **8. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

- 8.1 The Solicitor to the Council comments that there are no additional legal considerations arising from the recommendations beyond those set out in the body of the report.

Approved by: Sandra Herbert, Head of Litigation and Corporate Law for and on behalf of Jacqueline Harris-Baker, the Director of Law and Monitoring Officer

## **9. HUMAN RESOURCES IMPACT**

- 9.1 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: Debbie Calliste, Head of HR – People Department, on behalf of the Director of Human Resources

## **10. EQUALITIES IMPACT**

- 10.1 An equality analysis (Background paper 1) 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 and recommendations in the Education Estates Strategy report.

- 10.2 The proposed changes in this report 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 provisions at mainstream schools; and Academies /Free Schools. Pupils are allocated a school place based on the admissions criteria which aims to promote fair access to schools and are compliant with the School Admissions Code.
- 10.3 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.
- 10.4 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.
- 10.5 The equality analysis has found that the Education Estates strategy does not negatively impact on any protected group and that no major change is required as the strategy meets the general and specific equality duties.

## **11. ENVIRONMENTAL IMPACT**

11.1 N/A

## **12. CRIME AND DISORDER REDUCTION IMPACT**

12.1 N/A

## **13. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

- 13.1 The recommendations of this report are set out to ensure that the Council is compliant with its education duties:
- School Place Planning (s13-14 Education Act 1996) to promote high standards of education and fair access to education; secure sufficient primary and secondary education, including SEN to meet the needs of the population of its area
  - School Admissions (School Admission Code 2014) to determine the Admission Arrangements for its community schools annually
  - School Maintenance - school buildings meet the minimum standard and premises are maintained so that they provide a suitable learning environment.

## **14. OPTIONS CONSIDERED AND REJECTED**

- 14.1 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 have set out the new schemes to deliver new school places through the free school route.
- 14.2 The proposed reduction in the admission number at Norbury Manor and Monks Orchard Primary schools is due to the disparity between the Published Admission Number and actual number of roll at the schools. The proposed reduction will enable the schools to operate more efficiently and cost effectively. This is part of a wider review of school places across the borough.

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**CONTACT OFFICER: [Denise Bushay, Head of School Place Planning,  
Admissions: 0208 604 7231]**

### **APPENDICES TO THIS REPORT**

Appendix 2a - Proposed Admission Arrangements 2019/20

- proposed reduction of the Published Admission Number (PAN) for Norbury Manor and Monks Orchard Primary schools (Appendix 2b)
- proposed Pan London co-ordination arrangements (Appendix 2c)