

## **Committee: Children and Young People Overview and Scrutiny Panel**

**Date: 17 September 2013**

Wards:

## **Subject: Provision of School Places – update and future strategy**

Lead officer: Yvette Stanley, Director of Children, Schools and Families Department

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Forward Plan reference number: N/A

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### **Recommendations:**

A. Panel members note and discuss the contents of this report

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## **1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1. This report provides members of the Children and Young People Overview and Scrutiny Panel with details of progress made in providing additional school places in the borough to ensure the council fulfils its duty to provide sufficient and suitable places for all pupils who wish to attend Merton schools.
- 1.2. In line with many urban local authorities across the country and in London, Merton has been experiencing a significant increase in demand for school places caused by a child population growth reflected in a dramatic increase in the live birth figure and other demographic factors.
- 1.3. This increase has, to date, required the provision of significant additional permanent capacity in the primary school sector achieved through expansion of existing schools. More expansion of primary school places is anticipated through to 2020/21, albeit some likely to be via temporary provision.
- 1.4. Demand for secondary school places will start to increase in 2014/15 with pressure on sufficiency of places beginning to be felt in 2015/16, with existing surplus places in the sector rapidly diminishing and total year 7 places needing to increase moderately at this time, and accelerating over the following years to keep up with demand. A major secondary places expansion programme will be required through to the early 2020s.
- 1.5. Some additional special educational needs (SEN) places have already been provided in further specialist provision within mainstream schools and through expansion of existing special schools. In line with increases in the general population, demand for SEN places will continue to grow into the next decade.

1.6. The report details expansion projects undertaken to date and in planning. It informs members of the planning assumptions made for the next phase of the expansion programme and provides some detail in respect of how officers will approach the further demand across all school sectors. The report is as detailed as possible bearing in mind that while providing sufficient and suitable school places requires a strategic approach it is also necessary to ensure flexibility as, while it is possible to forecast general changes in demand, it is not possible to forecast the exact level of demand in all specific areas given the many changing factors that contribute to the demand for school places.

**2 DETAILS**

Primary Places

2.1. From a baseline position in 2007/08, Merton is committed to providing 21 additional forms of entry in the borough’s primary schools in permanent accommodation. A form of entry provides 30 places per year, and as it flows through into all seven years of primary school, the additional 21 forms of entry will provide an extra 4,410 permanent primary school places.

2.2. In 2013/14 the extra provision in reception class is 18 forms of entry (540 extra reception places) compared to 2007/08 and temporary provision has been utilised to complement permanent provision to ensure sufficient places have been provided every year since the substantial increase in demand commenced in school reception year in 2008/09. The strategy is to plan for permanent school expansions when there is a high level of certainty that the places will still be needed in the medium and long term.

2.3. Officers have sought to provide additional places against a set of criteria established in 2010 following wide ranging consultation with schools and the public:

- The council should aim to provide more places in existing good and outstanding schools
- More places should be provided in popular and oversubscribed schools
- The council should aim to expand small schools on the basis of increasing financial sustainability
- Additional places should be provided as near to the location of the additional demand as possible to provide local schools for local children
- The additional places should be provided in good quality accommodation, permanent where necessary
- The council should ensure it achieves good value for money and provide the additional places in the most affordable ways possible

2.4 The above criteria has therefore informed a strategy that has been focused to date on expanding existing schools. The table below provides an update of the permanent expansion schemes providing 21 forms of entry:

TABLE OF PERMANENT SCHOOL EXPANSIONS FROM 2008/09

	School	Year of first Additional	Status
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		Reception Class	
1	Wimbledon Chase	2008/09	Permanent Scheme completed
2	Holy Trinity CE	2008/09	Permanent Scheme completed
3	St Thomas Of Canterbury RC	2008/09	Permanent Scheme completed
4	Benedict	2009/10	Permanent Scheme completed
5	Hollymount	2009/10	Permanent Scheme completed
6	Joseph Hood	2009/10	Permanent Scheme completed
7	Aragon	2010/11	Permanent Scheme completed
8	Cranmer	2010/11	Permanent Scheme to contract in 2013
9	All Saints CE (Haydons Road))	2011/12	Permanent Scheme completed
10	Gorringe Park	2011/12	Permanent Scheme in progress
11	Liberty	2011/12	Permanent Scheme completed
12	St Mary's RC	2011/12	Phase 1 permanent scheme completed – phase 2 to contract in 2013
13 and 14	Singlegate	2011/12	Phase 1 permanent scheme completed. Phase 2 incorporates adjacent former school building purchased to allow school to be 3 forms of entry from 2014/15. To contract in early 2014.
15	William Morris	2011/12	Permanent scheme completed
16	Wimbledon Park	2011/12	Permanent scheme to complete in late 2013
17	Dundonald	2011/12 (But not in 2012/13 or 2013/14)	Scheme delayed by legal issues but planned to contract in spring 2014
18	Hillcross	2011/12	Permanent Scheme to contract in 2013
19	Merton Abbey	2011/12	Permanent Scheme to contract in 2013
20	Poplar	2012/13 (But not in 2013/14)	Permanent Scheme to contract in 2013
21	Pelham	2012/13	Permanent Scheme to contract in 2013

Note – in various years The Priory, Bishop Gilpin, Beecholme and Garfield (3<sup>rd</sup> form of entry) have provided single year solutions to provide additional school places but permanent expansion is not currently planned. Garfield permanently expanded to 2 forms of entry from 2006 and so is not included in this table

## 2.5

Of the 21 permanent additional forms of entry provided in 20 schools , 17 are currently rated good or outstanding by Ofsted, and 12 were 1form of entry schools classed as 'small'. The schools have been expanded in the geographic areas where there is most need thus not increasing travel distance for local residents to attend school. Schemes have been carefully assessed and monitored by senior managers and by project managers to ensure affordability.

- 2.6 The council has needed to carefully manage the balancing act of sound forward planning, but regular review to ensure the surplus is as low as reasonably possible. This includes assessing admissions information including school preferences and residence location in relation to schools. As a result, it has been possible to operate to a very low surplus, generally of around 2%, yet increase the number of pupils obtaining places at higher preferences school. Previously the council operated to the traditional Audit Commission recommendation of 5-10% surplus places which is not affordable given the level of expansion required.
- 2.7 The number of expansion schemes to manage has been a major challenge for the council, requiring complex preliminary planning, consultation and engagement, design and procurement processes to be undertaken and project management of the delivery stage requiring careful stakeholder management, problem solving and robust relationships with contractors. While there have inevitably been many issues to resolve, this major programme of expansions has been undertaken effectively with schools and parents being highly satisfied with the expanded schools.
- 2.8 In July Cabinet approved that the council should enter into contracts for construction of seven expansion schemes at Cranmer, Hillcross, Merton Abbey, Pelham, Poplar, St. Mary's RC (phase 2), and Singlegate Primary Schools (phase 2). Following delays due to the legal complexities, it is expected that the council will be able to contract for the expansion of Dundonald Primary School in spring 2014, thereby fully delivering the 21 forms of entry required, and in an area where there is some of the greatest pressure on places.

#### Primary places – future need and strategy

- 2.9 In implementing the strategy to provide sufficient and suitable places, officers have regularly refreshed planning assumptions based on GLA pupil projection data and local intelligence. At the time of writing this report, for September 2013 intake, there were 62 vacancies across Merton's primary schools and 44 unplaced applicants, all of which have been provided with a reasonable offer of a place. This again demonstrates that, to date, officers' planning has successfully ensured sufficient places across the sector, working to a small contingency for surplus places that allows little room for error.
- 2.10 The GLA pupil projection forecasts show a considerable increase in demand in reception year places up to 2017/18, showing that on the basis of the council having a total admission number of 2730 (the 21 form of entry increase referred to in the above paragraphs) there will be a small deficit in 2014/15 increasing to 167 reception places in 2017/18 based on its standard model.
- 2.11 A summary of analysis of GLA pupil projection models to 2020-21 is contained at Appendix 1, including planning area level, showing the greatest pressure on places will be in Wimbledon and central Mitcham/Colliers Wood.
- 2.12 However, further local intelligence regarding recent admissions applications show that this may be a slightly high forecast. The council also needs to take into consideration the potential impact on demand of the proposed new Park Community Free School likely to be sited on the Merton/Kingston border.

- 2.13 Given the lack of certainty for demand beyond the 21 forms of entry, and that there are currently two schools with a spare classroom that could provide one extra class in an emergency, officers are adopting a prudent approach to planning for future expansions.
- 2.14 At this stage officers are not progressing specific permanent school expansions beyond the 21 forms of entry committed and plan to use temporary provision until it is clear where any further permanent school expansion in the primary sector is needed for the long term. We will be keeping need under review with the cabinet member for education and schools.
- 2.15 A major housing development scheme could have an impact on local provision and this, as well as a number of other factor that cannot be foreseen with certainty, could impact on places over the next 5-10 years.

#### Secondary Places strategy

- 2.16 Officers have been considering the future impact of the increasing demand in the primary sector on Merton's secondary school provision for some time. This has involved consultation with schools and governing bodies; examination of GLA pupil projection models; analysis of retention rates of pupils leaving primary and entering secondary provision; high level feasibility studies of existing secondary school sites and the commissioning of a site search to identify possible sites for new provision.
- 2.17 Although medium term forecasting need for secondary school provision should be easier than for primary provision since cohorts of school pupils will be in the state school system seven years previously, in practice, there are a number of variables which make planning for secondary school places extremely complex.
- 2.18 These factors include the fact that the secondary school population is inherently more mobile than in the primary sector; the attractiveness of types of education e.g. grammar and faith schools in neighbouring boroughs, and those boroughs' own plans for secondary provision. There have also been a significant number of approved secondary Free Schools (State funded schools directly approved and funded by the Department for Education) in south London which will add to the number of available places over the next few years. Changes to migration patterns and levels and location of housing development also need to be taken into consideration, and cannot be forecast with certainty.
- 2.19 All these factors may have significant impact on the transfer rates from primary to secondary school and demand overall and officers, therefore, need to take both a cautious and pragmatic approach to planning for secondary provision.
- 2.20 A summary of analysis of current admission numbers, numbers on roll and GLA pupil projection data is contained at appendix 2. This analysis suggests that demand for secondary school places will start to increase in 2014/15 with pressure on sufficiency of places beginning to be felt in 2015/16, with existing surplus places in the sector rapidly diminishing and total year 7 places needing to increase moderately at this time. The increase would then need to accelerate and there will be a significant increase in 2018/19. By the early 2020 the total increase is likely to be between 20 and 30 additional forms of entry in secondary provision compared to current admission numbers.

2.21 Following consultation with schools, the cabinet member for education and other cabinet colleagues, engagement with the secondary places scrutiny task group and discussions with education professionals within CSF Department, an outline 'direction of travel' to develop the strategy has been proposed and agreed.

2.22 Key elements of this direction of travel are:

- A phased approach is appropriate for secondary school expansion in Merton over the next ten years, subject to regular reviews of supply and demand, and decisions made to ensure that places are provided when there is a 'basic need' (overall shortfall in the area of supply of places)
- The additional capacity required will be met through expansion of existing secondary schools and establishment of new provision.
- The initial phase will require schools to fill existing surplus places and the three academies to return to admission numbers set at the point of school re-organisation in the early 2000s. All secondary schools except the two Catholic School will, at that point, be 8 forms of entry ("FE") (240 places per year).
- Further school expansion to complement the above to provide sufficient places, with the aim that schools should not be more than 10FE (300 places per year)
- Officers will progress the feasibility of a new school/school provision to assist in providing for the exceptional increase in demand in year 7 from September 2018.
- A second new school/provision would be implemented if it became clear in the latter half of this decade that the increase to provide basic need places will be at the higher end of the projections, and it is required to ensure that existing schools do not permanently provide for above 10FE.

#### SEN Places strategy

2.23 LB Merton caters for pupils with SEN (Special Educational needs) through mainstream schools, specialist provision within mainstream schools ("additional resourced provision"), special schools, and use of independent provision. There are three maintained special schools, and three primary and three secondary schools provide specialist provision for pupils with ASD (autistic spectrum disorders) and SCLN (Speech, language and communication needs. There is also a Pupil Referral Unit (SMART centre) which operates under the same management as Melrose, our special school for pupils with emotional and behavioural difficulties.

2.24 The strategy in recent years has been to ensure this balance of provision is maintained in light of increased demand, and to ensure that, where possible, there is a reduced reliance on more expensive independent provision where it is not necessary. To this end the council has over the past five years:

- Provided suitable accommodation for pupils at Perseid School (for pupils with severe and complex learning difficulties) through a new secondary school site and a modest increase in capacity

- Provided further early years and key stage 1 places at Perseid School to meet demand
- Additional places at Cricket Green School (children with additional complex and varied needs) including 6th form provision to meet demand
- Changed the designation of Garden School specialist provision to be for ASD

2.25 In order to provide for the increase in demand the following will be required over the next 10 years:

- Increase the capacity of Perseid lower school to 84 places by 2015/16, and to subsequently increase the capacity of the upper school thereafter to meet the higher cohorts of pupils
- Further increase special school places for children with additional complex and varied needs
- Increase the number of additional ASD places in specialist provision within mainstream school both in the primary and secondary school sector

### **3 ALTERNATIVE OPTIONS**

3.1. The council has a statutory duty to provide sufficient school places so, given the increase in demand, there is no alternative but to provide more school places in the borough. There is a range of options to deliver this, and this report set out the general strategy which will require more detailed options appraisals.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

4.1. All plans implemented to date in respect of the provision of additional pupil places have been subject to consultation, some required in connection with statutory processes. This will also be the case for future plans to expand provision.

### **5 TIMETABLE**

5.1. This report covers additional school places provided and required between 2008-09 and 2021-22.

### **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

#### **Capital**

6.1 The cost to provide additional school places to ensure sufficient provision is substantial. The council has the statutory responsibility to provide sufficient places so is ultimately responsible for funding sufficient school places in its area but there is an expectation that there will be substantial assistance from central government grant from the Department for Education (DfE) and Section 106/CILL as appropriate.

6.2 To date, while DfE funding has been substantial, and was aided this year by LB Merton's highly successful Targeted Basic need bid over £15 million, the council is still paying substantial additional sums to fund the school expansion programme.

6.3 The estimated expenditure required to deliver the revised programme up to 2016/17 is incorporated into the approved capital programme and revisions to this will be presented to the September 2013 Cabinet meeting. The funding

required for 2017/18 is being progressed as part of the MTFS 2014-18 (including any revenue funding required). Finally, estimated expenditure up to 2022/23 is being built into the indicative capital programme.

- 6.4 As the strategy develops into specific schemes they will be subject to more detailed feasibility studies and design work with a view to obtaining best value for money and, together with external funding, will be reviewed in the normal way as part of the annual capital programme review process

## **Revenue**

### *Expanding schools*

- 6.5. The revenue impact to operate the larger schools will be funded through the Dedicated Schools Grant (DSG), which increases on the basis of additional pupils, although there is a delay in receiving the funding for the additional pupils and it is not retrospective. This is the position whichever school is expanded. The DSG is top-sliced to provide expanding primary schools £60,000 per class to fund revenue costs from September onwards. It is envisaged that a similar scheme will operate for secondary schools.

### *New schools*

- 6.6 Under current legislation/regulations the new school(s) would be either a free school(s) or academies, although this will complicate their revenue funding it will follow the same principles of any other school expansion.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1 The council has a duty under section 14 of the education act 1996 to secure that sufficient schools for providing primary and secondary education are available for its area. It must respond to any parental representations on the exercise of this duty.
- 7.2 Where a maintained school is to be permanently expanded, the council must first follow the statutory process for “prescribed alterations” to schools. One of the factors to be taken into account is the need for places and there is a presumption in favour of proposals to expand successful and popular schools to meet parental preference. The decision maker must also consider the effect on standards, including on other schools in the area and whether capital funds are available for the proposal to be implemented.
- 7.3 The council can propose a permanent increase in capacity for any type of maintained school, including foundation or voluntary schools but must follow the statutory procedure..
- 7.4 Temporary expansions of schools by the addition of a reception class as an exception to the normal published admission number or an increase in the published admission number would need to be agreed by the admission authority for the school.
- 7.5 Where there is not space to extend a school on its current site, consideration can be given to expansion elsewhere, creating a “split site” school. This may be more efficient than creating a new, very small school on a new site.



- 7.6 The legislation on new schools has been amended with effect from 1 February 2012 by the Education Act 2011. There is now a presumption that new publicly funded schools will be academies or free schools. The council would be required to transfer the site for a new academy to a new provider and provide capital funding for the new school.
- 7.7 The government is encouraging communities to propose new 'free schools' which have the same legal structure and requirements as academies. Free schools may be established in response to invitations for academy proposals by local authorities seeking to establish a new school or may be established through an annual application process under the government's free school programme.
- 8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**
- 8.1. The school expansion programme will be considered in the light of equalities legislation, and ensure that all children, including with special education needs, have access to a suitable school place.
- 9 CRIME AND DISORDER IMPLICATIONS**
- 9.1. No specific implications from this report.
- 10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**
- 10.1. The school expansion is a major programme with significant risks which are managed at project and programme level.
- 11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**
- Appendix 1 - Primary school pupil projection data  
Appendix 2 – Secondary school pupil projection data  
Appendix 3 – SEN data
- 12 BACKGROUND PAPERS**
- N/A

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