

CABINET

18 OCTOBER 2011

Title: Strategy for Ensuring Sufficient School Places 2011/12 – 2016/17	
REPORT OF THE CABINET MEMBER FOR CHILDREN AND EDUCATION	
Open Report	For Decision
Wards Affected: All	Key Decision: Yes
Report Author: Mike Freeman, Group Manager, School Estate and Organisation	Contact Details: Tel: 020 8227 3492 E-mail: mike.freeman@lbbd.gov.uk
Accountable Divisional Director: Jane Hargreaves, Divisional Director Education	
Accountable Director: Helen Jenner, Corporate Director Children's Services	
Summary: <p>There is projected continuing growth of demand for school places (Basic Need including SEN places) which is unprecedented in the last forty years (see Appendix 1). This growth exceeds LBBD school place capacity across all age ranges. Further primary school places are needed this year and every year to 2016/17 and possibly to the end of the decade. From 2012 further secondary school and sixth form places are needed every year to the close of this decade.</p> <p>There are limited financial resources of £14.2m per year for the next two years (not guaranteed) to deal with Basic Need and £3.8m for condition. Ministerial announcements indicate more resources will be allocated this year. This might be up to a further £8m (unconfirmed).</p> <p>Current strategy is to fulfil the Council's statutory obligation to provide a school place for every child in the Borough by expanding existing school sites: this has a limited life due to sites becoming fully developed. The resources made available are sufficient only to procure temporary buildings in most cases for these sites. It is proposed additionally (a) that alternative sites and premises be reviewed (b) Alternative school providers (e.g. Free Schools) be sought on a case by case basis.</p> <p>The current strategy for investing the budget for remediation of condition problems is spend on Priority 1 cases (averting the threat of school closure) to make provision to deal with unforeseeable issues e.g. boiler breakdowns and to deal with Priority 2 (Urgent) cases in consultation with schools especially where this assists in meeting Basic Need (including SEN places). (see Appendix 2) . It is proposed that this strategy be continued.</p> <p>The Programme for Developing School Places (Appendix 3) addresses meeting Basic Need using existing school sites. This should be reviewed every six months and the programme modified in the light of demographic information and resource availability and reported back to Cabinet. It is proposed additionally (a) that alternative sites and premises be reviewed (b) Alternative school providers (e.g. Free Schools) are explored on a case by case basis.</p>	

It is proposed that the Council establish Barking Riverside Secondary School (this will be operated by the Barking and Dagenham Cooperative Learning Partnership in line with the outcome of the School Competition) to admit children from September 2012. The initial intake is proposed to be accommodated at George Carey CofE primary school, and thereafter in temporary accommodation pending further capital funding becoming available. Contingency plans for the provision of temporary accommodation are currently being drawn up. It is proposed that the Council secures the prospective new site allocated on Barking Riverside to house the school.

Government has announced a new round of Private Finance Initiative (PFI) funding. This is limited to approximately 200 schools across the country (there are approximately 140 Local Authorities with responsibilities for schools). It is proposed that the priorities for submitting bids for PFI funding should be: Barking Riverside Secondary and Barking Riverside Special Needs provision; and two further bids for Eastbrook and Eastbury Secondary Schools. Detailed information is set out in (Appendix 4).

Recommendations:

The Cabinet is recommended to agree:

- (i) to adopt the Programme for developing School Places as in Appendix 3, subject to the proviso that it may need revision in the light of changed demand for places and resources available: this review and revision to be undertaken at six month intervals. It is proposed additionally (a) that alternative sites and premises be reviewed (b) Alternative school providers (e.g. Free Schools) be sought on a case by case basis.
- (ii) the procurement proposals as set out in the report and to authorise the Corporate Director for Children's Services, in consultation with the Corporate Director of Finance and Resources and the Cabinet Member of Children and Education, to approve the appointment of the final contractor and the placing of an order as projects are funded and secured.
- (iii) that the Council establish Barking Riverside School (this will be operated by the Barking and Dagenham Cooperative Learning Partnership in line with the outcome of the School Competition) to admit children from September 2012. The initial intake is proposed to be accommodated at George Carey Church of England Primary School, and thereafter in temporary accommodation pending further capital funding becoming available. It is proposed that the Council secures the prospective new site allocated on Barking Riverside to house the school.
- (iv) that the priorities for submitting bids for PFI funding should be: Barking Riverside Secondary and Barking Riverside Special Needs provision; and additional PFI bids for other secondary schools to be confirmed following outcomes of surveys and consultation with schools and other bodies (see Appendix 3); and
- (v) that the current strategy be continued for investing the budget for remediation of condition problems: which is to spend on Priority 1 cases (averting the threat of school closure) to make provision to deal with unforeseeable issues e.g. boiler breakdowns and to deal with Priority 2 (Urgent) cases in consultation with schools especially where this assists in meeting Basic Need.

Reason(s)

This decision will assist the Council in fulfilling its statutory obligations to provide a school place for every child and achieving its core values of: 'Achieving Excellence' 'Treating each other fairly and respectfully' through making school places available in appropriate settings.

1. Introduction and Background

- 1.1 Barking and Dagenham is striving to develop excellence throughout our educational provision. We are driving forward standards at all Key Stages. To support improvement in the educational offer and to meet the rapidly accelerating demand for school places (Basic Need including SEN places) at all ages we need to review and address school building capacity and condition as well as suitability.
- 1.2 This document outlines our future planning programme to meet Basic Need (including SEN places) over the next 5/6 years. The programme is outline only and must remain flexible since needs and available resources are constantly shifting. Decisions regarding actual proposals will always be agreed through Council decision making processes: but this document sets out a framework for making those decisions, which will be reviewed at 6 month intervals to address the Borough's rapidly changing demographics.
- 1.3 Projected growth in demand for school places requires:
 - at least 23 additional forms of entry (fe) at Reception (excluding nursery) over the coming 5 years;
 - at least 34 fe from September 2012 at Year 7, over the coming 5 years;
 - at least 400 sixth form places, over the coming 5 years where we need to support the increased staying on rate, the Raising of the Participation Age (RPA) as well as overall school population growth.
- 1.4 Special Educational Needs (SEN): in addition, the development of school provision within the Borough to meet the full range of disabilities has not kept pace with demand, leading to more expensive Out of Borough placements. The former BSF programme was expected to address this deficit. Our building programme must consider SEN as part of Basic Need planning if we are to address this issue.
- 1.5 Additional capacity required should be viewed against the backdrop of the withdrawal of BSF and Primary Capital funding, where many schools as a consequence will need significant modernisation, and in the context of a considerable reduction in available funding from central government.
- 1.6 Office of National Statistics (ONS) Sub-National Population Projections (2008 data projections) indicate very significant growth in the school population, with the 5 to 9 age group peaking in 2016 representing 8.82% of the borough's population. The main increase in this age band is between 2008 and 2015 where there will be an increase of 4,300 children. This has hugely significant implications for the supply of school places across the Borough. The overall child population is expected to grow to 32% of the total population (compared with a London average of 24%).

- 1.7 We consider that local schools' census data to be the most accurate predictor of Year 11 cohort sizes since it is based on actual numbers of young people attending the Borough's schools, and includes consideration of new building developments and travel to learn patterns. The recently announced housing benefits cap may add to existing pressures on demand for housing in the Borough as people migrate from other more expensive areas. Health Visitor colleagues report inward migration of around 140 under 5 year olds each month.
- 1.8 Current School Census figures show an increasing cohort size for future years as shown in Table 1 below:

Table 1 – Year 6 Cohort 2011 - 16

2011/12 – Y6	2,416
2012/13 – Y6	2,503
2013/14 – Y6	2,585
2014/15 – Y6	2,775
2015/16 – Y6	2,949

- 1.9 The levels of inward migration, on top of a rapidly increasing birth rate make planning for classes particularly difficult, with late arrivals increasing the need to maintain spare capacity.
- 1.10 The increasing staying-on rate and the phased RPA in 2013 and 2015 indicates a further significant overall rise in the 16-18 cohort results in the following projections shown in Table 2 below:

Table 2 – 16-18 Cohort Forecast

Year	Actual/Updated Forecast	Yearly Increase	Percentage Increase
2007-08	1,934	228	13.4%
2008-09	2,087	153	7.9%
2009-10	2,364	277	13.3%
2010-11	2510	146	5.8%
2011-12	2579	69	2.6%
2012-13	2870	291	10.1%
2013-14	3081	211	6.8%
2014-15	3078	-3	0
2015-16	3021	-57	-1.8%
2016-17	2977	-44	-1.5%
2017-18	3106	129	4.2%
2018-19	3390	284	8.4%
2019-20	3645	255	7%
2020-21	3949	304	7.7%

- 1.11 The Council faces a strongly growing demand for school places (Basic Need including SEN) that exceeds its current capacity over the coming decade. It also

has an estate which has a significant backlog of repairs, and condition problems. The school sites it has are, on the whole over developed with little space for new buildings. There are few new sites to cope with this level of prospective demand.

2. Proposal and Issues

2.1 Additional Capacity required

Table 3 below provides an overview of additional capacity (school places) required based on current forecasts (all figures are rounded to the nearest '00)

Table 3 – Additional Capacity required

Provision	From 2012/13 Up to 2016/17	2017/18 to 2021/22
Nursery based on 50% of reception places	2,400 FTE	1,300 FTE
Primary	4,800 (c. 23fe)	2,500 (c.12fe)
Secondary	5,100 (c. 34fe)	6,100 (c. 40fe)
Sixth Form	400	400 – 600
Special Educational Needs placed in Additional Resource Provision or a Special School place	304	373

2.2 We want to ensure that any new premises are designed to be as flexible as possible to allow for future demographic change. Our plans are to envisage possible demographic changes over the next 25 – 30 years. It seems likely that following the current period of rapid demographic growth we will see a slowing, or possibly even a reversal of this trend in 15-20 years time.

Barking Riverside School

2.3 It is proposed that the Council establish Barking Riverside School (this will be operated by the Barking and Dagenham Cooperative Learning Partnership in line with the outcome of the School Competition) to admit children from September 2012. The initial intake is proposed to be accommodated at George Carey CofE primary school, and thereafter in temporary accommodation pending further capital funding becoming available. Contingency plans for the provision of temporary accommodation are currently being drawn up. It is proposed also that the Council secures the prospective new site allocated on Barking Riverside to house the school. It is also the proposed top priority for bidding for PFI investment. See further comment under Risk Assessment.

Condition Issues

2.4 An overview of modernisation priorities and costs is attached as Appendix 2. This covers a range of serious maintenance issues such as boiler replacement, fire

prevention, re-roofing and toilet refurbishment. Curriculum need is supported where possible, but most expenditure addresses health and safety issues or emergency repairs to the fabric of our buildings so that schools can stay open. £36m is required for both current Priority 1 (possible school closure issues) and Priority 2 (Urgent) needs across our schools.

- 2.5 Additional resources beyond this will be required if we are to address Priority 3 and 4 suitability concerns such as refitting science laboratories, enhancing music provision, specialist SEN provision and other specialist curriculum facilities in mainstream schools.

Time plan for currently proposed increase in capacity to meet demand

- 2.6 In order to plan for the required development an indicative programme for developing school places has been devised. This plan is indicative only and needs to be extremely flexible, both to meet any unforeseen demand, and to respond quickly to any additional financial resources that may be provided by Central Government. Actual building projects will always be decided through the Council decision making processes. The overall programme will be reviewed and updated regularly and re-circulated at 6 month intervals, to keep pace with local developments. The proposed programme is at Appendix 3.

3. Financial Issues

Implications verified by: Kathy Freeman, Finance Group Manager

- 3.1 Financial flexibility is extremely limited. We expect to have approximately £14.2m to meet Basic Need numbers across the whole educational provision including SEN, and a further £3.8m for condition / modernisation purposes each year for a further two years (not guaranteed). Ministerial announcements indicate more resources will be allocated this year. This might be up to a further £8m (unconfirmed). Any additional funding will be allocated to the proposed programme.
- 3.2 Neither the Basic Need nor the Condition figures are high enough to provide for long term robust facilities. Optimising value for money is therefore essential, including where practicable joining up funding streams.
- 3.3 We shall continue to lobby for the additional funds required to meet Basic Need (including Learning Disabilities / LDD/SEN).
- 3.4 We will also bid for all available funding streams using them to match to our strategy as closely as possible, whilst meeting any funding criteria and gaining optimum value for money.
- 3.5 A successful funding bid has been made to the Young People's Learning Agency (YPLA) to support sixth form growth.
- 3.6 We propose bidding for Private Finance Initiative (PFI) opportunities for Barking Riverside Secondary School including Special Needs provision (See Appendix 4).
- 3.7 We will investigate innovative funding routes, and shall explore radical strategies and partnerships e.g. alternative sites and premises and alternative school

providers (e.g. Free Schools) to optimise our use of available buildings and facilities to meet growing demand.

3.8 If we not able to create and develop specialist education accommodation (up to 160 places), this would impact on our ability to reduce out of borough placements expenditure. Most of Borough placements cost in the range £35k - £50k per annum, plus the cost of transport, estimated to be a further £5k to £10k per annum. Most in-borough special education provision costs (on average) between £26k - £35k and the impact of not creating sufficient in borough SEN provision could mean an additional cost of £15k - £25k per placement. Across 160 places, this could equate to an additional £2.4m - £4m per annum additional revenue costs to the Local Authority.

3.9 All possible options need to be considered.

4. Legal Issues

Implications verified by: Fiona Taylor, Legal Group Manager

4.1 The Local Authority has a statutory duty

a) to provide sufficient schools for primary and secondary education and to have particular regard to securing special education provision to meet the needs of the population of the area pursuant to s.14 Education Act (as amended); and

b) to support school diversity pursuant to the Education and Inspections Act 2006.

4.2 The Local Authority has statutory duty to provide schools sufficient in number, character and equipment to provide pupils with appropriate education. This report sets out the challenge of meeting the demand for school places facing the Local Authority. Appendix 3 outlines a Programme for Developing School Places which it is inviting the Cabinet to adopt. .

4.3 The Programme envisages enlargement of forms at existing schools; the creation of Barking Riverside School and provision of places through Free School (s). The reorganisation of school provision will require the publication of statutory proposals and/or consent from the Secretary of State for opening new and expanding existing ones.

4.4 The Barking Riverside School would be housed on the Barking Riverside Development Centre. Barking Riverside Limited has already agreed to lease to the Council as tenant part of the centre to house the George Carey School for a term of 999 Years. It is proposed that the George Carey accommodate the initial intake of pupils whilst the Barking Riverside School is established through competition.

4.5 The establishment of the school is prescribed by statutory process of publication of a notice inviting proposals through part 2 of the Education and Inspections Act 2006 and supplemented through the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007.

5. Other Implications

5.1 Risk Management

- 5.1.1 Without sufficient capital monies we will be unable to build sufficient additional school places to meet demand. This risk could be mitigated by considering: – alternative premises to house schools; low cost buildings; time phased working for some schools; larger class sizes; encouraging selected Free School providers.
- 5.1.2 In matching forecast demands the Authority could be left with surplus capacity in the event of a future downward trend in population. Mitigation of this risk could include more flexible building design and/or the use of leased premises.
- 5.1.3 The only site currently available for a new secondary school in the Borough is at Barking Riverside. Without a secondary school on Barking Riverside the incentive to carry on building homes there will be limited and the pace of building new homes will be slow. While this may be advantageous in relation to demand for new school places for the borough it does not help the Borough's wider objectives regarding increasing the number and quality of new homes and helping to regenerate the Borough. Mitigation would include opening Barking Riverside in temporary accommodation so as not to lose building momentum.
- 5.1.4 In giving priority to capital investment to school places there may be a risk that there may be insufficient funding for other infrastructure needs. This risk will be mitigated through discussion with health services regarding health provision implications, community use being factored into school design wherever possible.
- 5.1.5 Analysis of immediate risks:
- 1) Risk that funding levels will not be sufficient to create new school places needed. This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by purchasing the most affordable accommodation which is temporary. Post control the risk is high impact (4) and low (2) probability = 8 amber;
 - 2) Risk that funding levels will not be sufficient to create suitable new school places. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by purchasing the most affordable accommodation which is temporary, and blending it with site specific proposals. Post control the risk is high impact (4) and medium (3) probability = 12 red;
 - 3) Primary schools: risk that site availability would prevent delivery of school places in the areas where demand is highest. This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by expanding all available sites in high demand areas, and reviewing other buildings for potential school use. Post control the risk is high impact (4) and medium (3) probability = 12 red;
 - 4) Secondary schools: risk that Barking Riverside site and funding is not available for development on a timescale compatible with demand for places. This risk is high impact (4) and medium (3) probability = 12 red. This risk is being managed by lobbying DfE and other central government departments and the Mayor for London. Post control the risk is high impact (4) and medium (3) probability = 12 red;

- 5) Secondary schools: risk that school expansions will be confined to existing sites, low quality and insufficient. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by lobbying DfE for improvements in funding, and reviewing existing sites and opportunities. Post control the risk is high impact (4) and medium (3) probability = 12 red;
- 6) Risk that the cost of the rate of deterioration of school estate will outrun the funding available to maintain it. This risk is high impact (4) and high (4) probability = 16 red. This risk is being managed by lobbying DfE for improvements in funding. Post control the risk is high impact (4) and medium (3) probability = 12 red.
- 5.2 **Contractual Issues:** In order to secure projects identified in the programme, colleagues in Asset Management and Capital Delivery will be asked to map out a programme for delivery. It is intended to utilise either the Council's construction framework contractor or the Local Education Partner (LEP) to expedite the programme. It may be that there will need to be different types of contracts with the framework contractors and advice will be sought from Corporate Procurement and the Legal Partnership about the most appropriate contract arrangement for each scheme.
- 5.3 **Staffing Issues:** there are no specific implications
- 5.4 **Customer Impact:** the impact of the recommendations would be positive for customers on all counts of: race, equality, gender, disability, sexuality, faith, age and community cohesion. The developments are required for the authority to meet future needs of SEN pupils by providing additional capacity for SEN services. The new developments will have a positive impact on that group of young people and their families.
- 5.5 **Safeguarding Children:** Adoption of the recommendations would contribute strongly to the Council's objectives to improve the wellbeing of children in the borough, reduce inequalities and ensure children's facilities are provided in an integrated manner, having regard to guidance issued under the Children Act 2006 in relation to the provision of services to children, parents, prospective parents and young people.
- 5.6 **Health Issues:** There are no specific implications. The evidence base around the optimal age for school entry is a subject of some international debate, however there is some limited evidence that delays in entry to school may have long term negative impacts on health and wellbeing outcomes which are independently associated with age differentials in classes^{1 2}. The paper sets out proposals to mitigate the growth in demand for school places due to the increasing population of children and young people. These present a potential positive impact for health in not delaying school entry. Were these not to be taken forward then significant investment would be needed into parental support for school preparation while entry is delayed for the affected children.

¹ Increased behaviour problems associated with delayed school entry and delayed school progress. Byrd RS, Weitzman M, Auinger P. Pediatrics. 1997 Oct;100(4):654-61.

² Early educational milestones as predictors of lifelong academic achievement, midlife adjustment, and longevity
Margaret L Kern and Howard S Friedman. J Appl Dev Psychol. 2008; 30(4): 419–430.

5.7 **Crime and Disorder Issues:** there are no specific implications

5.8 **Property / Asset Issues:** This proposed decision would facilitate the improvement and renewal of significant Council assets.

6. Options appraisal

6.1 See Risk management section at 5.1 above. The main option outside of the report's immediate proposals is to do nothing more than accept the current and proposed levels of funding from central government which then exposes the council to risks of increasingly poor accommodation and a challenge to its ability to fulfil its statutory obligations.

6.2 The report recommends the review and revision where necessary of the programmes put forward for approval at six monthly intervals

Background Papers Used in the Preparation of the Report:

- Investment in Schools – consultation with school governing bodies September 2010;
- Context and Programme for Investment in Schools: report to Cabinet 10th May 2011

List of appendices:

- **Appendix 1:** School Population Forecasts
- **Appendix 2:** Condition of School Buildings
- **Appendix 3:** Programme for Developing School Places
- **Appendix 4:** Preliminary Assessment of Secondary School investment opportunities