

REPORT FOR: **CABINET**

Date of Meeting:	18 July 2013
Subject:	School Organisation
Key Decision:	No
Responsible Officer:	Catherine Doran, Corporate Director of Children and Families
Portfolio Holder:	Councillor Zarina Khalid, Portfolio Holder for Children, Schools and Families
Exempt:	No
Decision subject to Call-in:	No
Enclosures:	Appendix A: Phase 2 Schools Appendix B: Special School SEN Placements Planning Framework Appendix C: Amalgamation Policy

Section 1 – Summary and Recommendations

This report updates Cabinet about school organisation issues in Harrow including school place planning, Phase 2 of the Primary School Expansion Programme, the Special School SEN Placements Planning Framework, Early Years Strategy and the Amalgamation Policy.

Recommendations:

Cabinet is requested to:

1. Agree Phase 2 of the Primary School Expansion Programme be moved to the statutory process for permanent expansion as stated in Appendix A;
2. Approve the Special School SEN Placements Planning Framework, as set

- out in Appendix B;
3. Confirm the Amalgamation Policy as set out in Appendix C;
 4. Note the progress developing Harrow's Early Years Strategy.

Reason: (For recommendation)

To fulfil the Local Authority's statutory duties to provide sufficient, high quality school places in its area as part of its strategic role as champion for parents and families, for vulnerable pupils and of educational excellence.

Section 2 – Report

Introduction

1. The Local Authority has a statutory responsibility to provide sufficient school places for its area. The main pressure on school places currently is in the primary sector, though pressure is also being experienced in the special educational needs sector and will be experienced in the secondary sector when the additional pupil numbers progress through to the high schools.
2. The role of the Local Authority is changing in light of the Government's education reforms. The Local Authority increasingly has a strategic role to commission services rather than to be a provider. Schools are encouraged by the Government to become autonomous through the academy school and free school programmes and changes to funding arrangements. In this new strategic role it is important for the Local Authority to consider how it will:
 - ensure sufficient high quality school places;
 - promote and secure school organisation to support sustained school improvement;
 - continue to promote schools in Harrow at the heart of the community; and
 - promote choice for parents and excellence in education standards.

Options considered

Background to Primary School Expansions

3. Cabinet agreed its School Place Planning Strategy in February 2010 to meet the increasing demand for school places that is primarily birth rate driven. Harrow has been opening additional temporary Reception classes since 2009, with an escalating trend. 5 additional Reception classes were opened in 2009 and in 2010, 8 additional Reception classes in 2011 and 12 additional Reception classes opened in September 2012, a 50% increase above September 2011. An additional

Year 1 class was also opened in October 2011. The increased demand for Reception places is projected to continue and to peak in 2018/19.

4. In July 2011, Cabinet agreed a school expansion programme as part of the School Place Planning Strategy. The strategy aims to secure sufficient primary school places through the creation of additional permanent places, supplemented by planned bulge classes and contingency bulge classes, opened if required.
5. Following Cabinet's decision in July 2011, engagement and consultation processes about the permanent expansion of the first phase of schools were undertaken. A borough-wide consultation about schools for permanent expansion was held in Autumn 2011. In December 2011 Cabinet considered the consultation outcomes and agreed the schools that should be moved to the statutory process for permanent expansion. Statutory consultations occurred early in 2012 followed by the publication of statutory expansion proposals in Spring 2012. At its meeting on 20 June 2012 Cabinet considered the consultation and representation outcomes and approved the statutory proposals to expand nine schools on seven sites from September 2013. A building programme is underway to ensure that there is sufficient accommodation for the additional pupils at these schools.
6. In November 2012 Cabinet agreed that a second phase of primary schools should be moved to the statutory process for permanent expansion. Since then work has been progressed with schools to identify the schools that will be proposed for expansion. The next section of this report sets out the school place planning considerations that inform the proposed second phase of primary school expansions.

School Place Planning

7. Analysis of the school roll projections and the applications for Reception places in September 2013 that were received by the closing date, led to the decision to open 9 additional temporary Reception classes in September 2013. Together with the 8 permanent additional Reception classes established from September 2013 in Phase 1 of the expansion programme, this totals 17 Reception classes more than the permanent baseline in 2008 before temporary additional Reception classes began to be opened in September 2009.
8. The opening of 17 additional Reception classes (above the 2008 baseline) in September 2013 has meant that all on-time applicants for places in Harrow schools have been offered places. Applications for school places are received in-year outside the annual application round and the situation will be carefully monitored in case further additional classes need to be opened.
9. The Fair Access Protocol is applied when a place is not available for a child at an appropriate school. The Panel of elected Members has been particularly busy during this academic year and has been meeting fortnightly to consider appeals. Between September 2012 and 15 May 2013, 405 primary aged children were placed in schools via the Panel with the greatest pressure being experienced for Key Stage 1 places.

10. Updated school roll projections data from the Greater London Authority was received in late May and is being considered by officers and analysed to ensure that the modelling fits with experience in Harrow. A Demographic Information School Roll Projections 2014 – 2023 Report will be published in the Autumn and will inform school place planning work and decisions about the exact number of additional classes that will be required in September 2014. The initial indications are that the updated data confirms the trend in previous projections with slightly higher totals of pupil numbers and reduced level of decrease following the peak in numbers.
11. The response of schools to the increased demand for places has been most impressive and has ensured high quality places have been provided to children under challenging circumstances. However, the pressures being experienced reinforce the need to permanently expand more schools in Phase 2 of the primary school expansion programme. The target number of permanent expansions in Phase 2 of the primary school expansion programme is around 13 forms of entry.
12. The exact number and location of schools that will be proposed for expansion and on what dates is dependent on a number of factors in addition to the projections. These factors include the outcome of the Targeted Basic Need Programme applications; any free school developments; the Avanti House future location; any expansion plans academies or voluntary aided schools may develop; provision of the proposed new school on the Kodak development and specific site or affordability matters of the listed schools.
13. This may result in other schools being identified for permanent expansion. A list of the schools currently proposed for consultation on Phase 2 permanent expansion is at Appendix A. The Appendix also includes the schools expanded permanently in Phase 1 and those schools that have taken bulge classes since September 2009. If other schools are identified then they will be agreed to be moved to the statutory process for permanent expansion by the Corporate Director in consultation with the Portfolio Holder as delegated by Cabinet at its meeting on 22 November 2012.
14. It is proposed that statutory consultations about the second phase of schools for permanent expansion will be undertaken for 5 weeks in September / October during the first half of the Autumn Term. A report will be presented to Cabinet on 21 November 2013 setting out the results of the consultations and recommending the schools that should have statutory expansion proposals published. Statutory proposals would be published in January / February during the Spring Term 2014 which would be determined by Cabinet on 13 March 2014.

Targeted Basic Need Programme and 16-19 Demographic Growth Capital Fund

15. On 1 March 2013 the Government announced the details of the school capital funding allocations for the next two financial years 2013/14 and 2014/15. The announcement included the launch of the Targeted Basic Need Programme and the 16-19 Demographic Growth Capital Fund for additional spend during these same two financial years.

16. Harrow's allocation for Basic Need (£14.69million over the two years 2013/14 and 2014/15) is higher than the previous allocations which reflects the hard work done to present as fully as possible the needs of Harrow's community for more school places.
17. The Targeted Basic Need Programme is the additional funding of nearly £1billion over the next two years announced by the Chancellor in his Autumn Statement and is over and above the Basic Need allocations for new school places.
18. The 16-19 Demographic Growth Capital Fund is funding of £80million to support the cost of additional places needed by young people.
19. The Government set key criteria for applications and set a very tight deadline of 30 April 2013 for applications to be submitted to these funds. Letters were sent on 13 March 2013 to Harrow schools, colleges and to diocesan bodies inviting interest in having applications submitted. This was followed by letters sent on 28 March 2013 to schools that had not responded and that fitted the key criteria for the Targeted Basic Need Programme stating that Harrow would consider them as part of the bid. This was because Harrow wanted to maximise this opportunity for the benefit of the residents of Harrow.
20. Officers held discussions with relevant schools, colleges and diocesan bodies about applications that fit with the school place planning priorities to meet projected increased demand up to 2015. 16 applications were submitted to the Targeted Basic Need Programme covering expansions in primary and special schools, future secondary expansion, and 16/19 to 25 years provision for learners with learning difficulties and disabilities (LLDD).
21. The Government target date to inform applicants of the outcome is June 2013 for the Targeted Basic Need Programme and July 2013 for the 16-19 Demographic Growth Capital Fund. At the time of writing this report the Government announcements had not been made and the up-to-date position will be reported at the Cabinet meeting.

Special School and SEN Placements Planning Framework

22. Cabinet considered the draft Special School SEN Placements Planning Framework at its meeting on 11 October 2012 and approved the aims and guiding principles and that a wide stakeholder engagement and consultation be undertaken. The consultation on the draft Framework and options to increase provision was undertaken from Monday 12 November to Friday 21 December 2012. Consultation documents were distributed to all schools, chairs of governors, colleges and other stakeholders. Meetings for parents were also held at Woodlands, Kingsley and Shaftesbury special schools.
23. The level of consultation response was fairly low but did indicate a broad level of support for the direction of the Framework and the options presented in the consultation. The consultation responses were supplemented by discussions and open meetings held during the

consultation. Analysis of the consultation responses is available as a Background Paper to this report.

24. The Special School SEN Placements Planning Framework provides a framework for bringing forward proposals over the next 3-5 years to increase capacity to meet the rising demand for provision for children and young people with special educational needs and is attached at Appendix B for approval. Demand for special educational needs provision will continue to be monitored. Proposals will be informed by continuing stakeholder engagement and opportunities will be sought to implement initiatives over this period.
25. There are four key proposals based around pupil special educational needs and age:
 - Increase the number of places at special schools for primary-age pupils with severe and profound learning difficulties.
 - Increase the number of places at special schools for secondary-age pupils with severe and profound learning difficulties and moderate learning difficulties, autism and/or behaviour, emotional and social difficulties.
 - Increase the choice and number of places at mainstream schools for primary and secondary-age pupils with moderate learning difficulties and autism.
 - Increase and develop post-16/19 to 25 years provision for young people with severe and profound learning difficulties and moderate learning difficulties, autism and/or behaviour, emotional and social difficulties.
26. In its developing role as commissioner of services rather than provider, the local authority will promote commissioned provision wherever appropriate. Regional initiatives that will meet special educational needs in collaboration with neighbouring local authorities and private and voluntary sector providers will be considered and promoted as may be appropriate. Funding will be sought as necessary to implement proposals. For example, the options have informed the applications made to the Targeted Basic Need Programme and the 16-19 Demographic Growth Capital Fund. Government announcements about the outcomes of applications to these funds are expected in June and July.

Early Years Strategy

27. The Council holds a statutory duty to improve Early Years outcomes for children and narrow the attainment gap. Currently these responsibilities are fulfilled through a range of maintained, private, voluntary and independent sector providers in health and the local authority. The various ways of working have led to a diversity of practice, including locality partnerships that have had a positive impact on children's experiences. However the impact on outcomes for children is not sufficiently effective across the borough, or across provider organisations, and multi-agency work is under way to focus on the needs of children and families to improve outcomes and narrow the gap.

28. The Early Years Strategy Board was established in 2012, meets monthly and consists of representatives from key stakeholder groups across: the private, voluntary and independent sectors, health service providers early intervention and targeted as well as special services. Its purpose is to develop a shared understanding of what works well and to identify gaps in provision and practice.
29. As a result of the early years needs assessment undertaken in 2012/13 a consensus has been reached around improving outcomes and narrowing the gap through three key themes:
 - Broadening participation
 - Building capacity
 - Raising quality for all.
30. The board has developed the Early Years Strategy that forms the basis for the transformation of early years services through commissioning for improved outcomes for children. Partnership work in support of the three themes will ensure the Local Authority's statutory duties are met and compliance with Government policy and guidance. The Early Years Strategy is available as a Background Paper.

Amalgamation Policy

31. In its role as a commissioner of school places, and in the context of a different landscape and the new legislation, Harrow has been reviewing its approach to school organisation.
32. An established part of the Council's strategic approach to school organisation is the school amalgamation policy that establishes a preferred model of primary school organisation as combined all through infant and junior schools.
33. The Amalgamation Policy was agreed initially in February 2005, and has subsequently been revised and up-dated. In October 2007 Cabinet incorporated the Amalgamation Policy in its Strategic Approach to School Organisation. The most recent version was agreed by Cabinet in October 2008. Since 2006, 20 community schools have amalgamated to form 10 combined primary schools. On 28 May 2013, Cabinet approved that the Cannon Lane schools will combine on 1 September 2013. There will be 14 separate infant and junior schools remaining.
34. Harrow's amalgamation policy, is based on an educational rationale for a preferred model of school organisation that is a combined infant and junior school. When a school or schools meet the policy triggers they must amalgamate, unless there are compelling and over-riding reasons for them to remain separate.
35. The policy triggers are:
 - A headteacher vacancy arises in either or both schools.
 - Pupil numbers are 25% or more below admission number in either school.
 - Ofsted inspection in one of the schools identifies 'special measures'.

- Other situations whereby the educational provision would be improved through amalgamations. For example, these circumstances might include provision of SEN support, building and accommodation issues, financial difficulties, part of the Council's strategy for schools causing concern, staffing recruitment and retention issues.
36. Since the amalgamation policy was agreed, there have been changes to the education landscape that affect the context in which the policy is applied. Changes to education legislation offer other governance and management arrangements and the Government has introduced a new national funding formula.
 37. The Amalgamation Policy documentation has been reviewed and updated to reflect the current educational landscape and is attached at Appendix C for approval. The policy remains unchanged in its expectation that, if the triggers apply, amalgamation will occur unless there are over-riding and compelling reasons not to.
 38. Governing bodies of separate schools are encouraged to consider how they work collaboratively before the amalgamation policy triggers are met. This might include soft federation or joint staff activities. Governing bodies are also encouraged to consider the transition to a combined school and how the governing bodies could collaborate on a range of matters and how staff groups could work closely together. Collaboration will help to bring educational benefits and promote effective consultation with the school communities about amalgamation.
 39. The Government's academy school model offers schools the potential to become autonomous of the Local Authority. At their meeting in June 2012, Cabinet confirmed their approach to academy schools and to work in partnership with schools regardless of their status. Harrow Council would urge all governing bodies of separate infant and junior schools to consider amalgamation as part of any investigation they undertake into academy conversion. A combined school would be more sustainable than separate academy schools, or a separate academy and community school, which are paired in infant and junior phases and service the same local community.
 40. In this context, it is important to recognise that once the Amalgamation Policy has been triggered and statutory processes have been initiated, no alternative proposals can be considered until the amalgamation statutory processes have been concluded.

Legal Implications

41. The Council has a statutory duty under the Education Act 1996 to ensure the provision of sufficient schools for the provision of primary and secondary education in their area.
42. There is a statutory process for permanently expanding maintained schools. This process includes statutory consultation and the publication of proposals with a formal representation period. The statutory

requirements and national guidance will be followed when progressing any proposals of expansion of an individual school.

43. The Local Authority has a statutory entitlement under Sections 15 and 19 of the Education and Inspections Act 2006, to issue statutory proposals in respect of school reorganisation.

Financial Implications

Revenue

44. Any extension of the school expansion programme will inevitably have financial implications. School revenue budgets are funded from the Dedicated Schools Grant (DSG). As the Department for Education (DfE) allocates DSG based on pupil numbers, any increase in pupil numbers results in additional revenue funding. This revenue funding is then allocated to schools based on the Schools' Funding Formula.
45. From 2013/14 the DfE have introduced significant changes to school funding. The legislation allows authorities to seek Schools Forum approval to create a ring fenced Growth Fund from the DSG in order to fund in year pupil growth. This is important for Harrow given the scale of additional classes identified through the Primary School Expansion Programme. The Growth Fund needed for the additional classes in September 2013 was considered by Schools Forum in October 2012. It was agreed to allocate £63,000 of revenue funding for each additional temporary Reception class to provide for basic costs for the period September to March. In the following year the mainstream funding formula takes effect. This funding is available for additional classes in both maintained and academy schools but not Free Schools.
46. Under the Government's new funding formula the combining of two schools would result in the loss of one element of 'lump sum' funding allocated to schools. In 2013/14 the lump sum amount is £142,230. The Government introduced this 'lump sum' funding change as an interim measure for two years and is currently reviewing all factors within the School Funding Reform, including the lump sum with regards to any changes in the 2014/15 school funding. Though this is a significant issue, there are immediate savings as a combined school, not least in only having one headteacher salary, and as a combined school the governing body would be able to plan ahead strategically across the combined school to achieve efficiencies as all other primary schools in Harrow do currently.
47. Any changes proposed by the Government's review will be presented to Schools Forum accordingly.

Capital

48. Phase 1 of the primary school expansion programme is expected to cost £26.2m over five years. The 2012/13 to 2014/15 Capital Programme, approved by Council, includes the first three years of the programme. The majority of the programme will be financed from Department for Education capital grants. However these capital grants are currently insufficient to fully fund the expansion programme so council funding,

totalling £2.25m, has been allocated in the capital programme, plus additional funding required of £3.8m.

49. Phase 2 of the primary school expansion programme will require additional capital spend. If the applications made to the Targeted Basic Need Programme are successful, this will make a significant contribution to meeting the additional capital requirements. Two of the schools that are proposed for permanent expansion in Phase 2 are included in the Priority School Building Programme for expansion as well as having their priority condition needs met. Until the final list of schools proposed for permanent expansion is developed it is not possible to quantify the cost. The capital cost of delivering a second phase of school expansion would need to be considered as part of setting the Council's Capital Programme.
50. Further details of Phase 2 capital programme will be reported to Cabinet in November with the outcomes of the statutory consultation in the Autumn Term. At this time there will also be greater clarity on the Government allocations for Harrow in relation to the Targeted Basic Need Programme, Priority Schools Building Programme and the 16-19 Demographic Growth Capital Fund.

Performance Issues

51. Harrow is a high performing Local Authority and the large majority of local services are judged to be good or better by Ofsted. Schools in Harrow perform well in comparison to national and statistically similar local authorities. The vast majority of primary schools and secondary schools are judged good or outstanding.
52. The Schools White Paper and Education Act 2011 maintain a focus on driving up standards in schools, and place more of the responsibility with the schools directly for their improvement. The role of the Local Authority in measuring performance and driving improvement has changed significantly and is reduced from its previous level. However, the Local Authority maintains a strategic oversight and enabling role in local education, and is likely to retain some role in monitoring educational achievement and key measures such as exclusions and absence. The Local Authority is also statutorily responsible for supporting and improving underperforming schools.
53. The Local Authority continues to monitor key education indicators. The indicators are used locally to monitor, improve and support education at both school and local authority level; they are also used within information provided to the DfE.
54. The indicators fall within the following areas:
 - Attendance and exclusions - remain a statutory duty for the Local Authority to monitor and improve;
 - Narrowing the Gap - is a fundamental part of Ofsted's school inspection process, and accordingly the Local Authority monitors the attainment of identified groups of pupils in its schools, for example SEN children;
 - Underperforming schools – schools are assessed at Key Stage 2 & Key Stage 4 against defined floor standards.

Environmental Impact

55. Phase 2 of the school expansion programme will have an environmental impact that will need to be considered. Schools account for 50% of the council's total carbon emissions (62% of emissions under the Carbon Reduction Commitment scheme – [CRC]) and will need to play a full part in reducing these emissions by 4% per annum, as set out in the council's climate change strategy. This applies to new build as well as existing schools.
56. The Government has issued revised guidance under the CRC scheme which removes all school emissions from local authority responsibilities - from March 2014. The intention is that the DfE will organise a national scheme covering schools' emissions.
57. For those schools that are proposed for expansion, planning applications will be required and part of the application will be a school travel plan. Through this process and the development of the solutions for the schools, the impact of the additional pupils and their travel modes will be addressed.

Risk Management Implications

58. The directorate and corporate risk management implications for the council arising from school place planning are included on the directorate and corporate risk registers.
59. The key risks for this programme are affordability and an over or under estimate of pupil growth.

Equalities implications

60. Equalities Impact Assessments were undertaken during Phase 1 of the school expansion programme. The conclusion of these assessments is that the implications are positive or neutral in that the school expansion programme will ensure sufficient school places for the increasing numbers of children in Harrow.
61. Harrow's schools are successful and inclusive and provide a diversity of provision. The continuing school expansion programme will ensure sufficient school places for the increasing numbers of children in Harrow and will build on the successful provision that already exists in Harrow's schools. The Special School and SEN Placements Planning Framework seeks to address the projected increased demand for school places for children with disabilities arising from the growth in the school age population overall.
62. Equality Impact Assessments will be undertaken on all the schools in the final list of schools that will be taken forward for statutory permanent expansion processes.

Corporate Priorities

63. These considerations will support the Council's Corporate Priorities:
 - United and involved communities: A Council that listens and leads.
 - Supporting and protecting people who are most in need.

Section 3 - Statutory Officer Clearance

Name:	Patricia Harvey	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date:	17 June 2013		
Name:	Sarah Wilson	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date:	17 June 2013		

Section 4 – Performance Officer Clearance

Name:	David Harrington	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Strategic Commissioning
Date:	8 July 2013		

Section 5 – Environmental Impact Officer Clearance

Name:	Andrew Baker	<input checked="" type="checkbox"/>	on behalf of the Corporate Director of Environment and Enterprise
Date:	26 June 2013		

Section 6 - Contact Details and Background Papers

Contact: Johanna Morgan, Education Lead School Organisation
johanna.morgan@harrow.gov.uk 020 8736 6841

Background Papers:

Outcomes of the consultation on the draft Special School SEN Placements Planning Framework held from 12 November 2012 to 21 December 2012.

Early Years Strategy.

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]