

Meeting: School Organisation Committee
Date: 2 November 2004
Subject: School Place Planning Issues in Harrow
Responsible Officer: Geoff Wingrove, Director of Strategy
Contact Officer: Johanna Morgan, Group Manager, People First
Portfolio Holder: Education and Lifelong Learning
Key Decision: No
Status: Public

Section 1: Summary

This report up-dates members of the School Organisation Committee on a range of school place planning in Harrow and a consultation being undertaken by the DfES on Proposals for Foundation Schools, Expanding Popular and Successful Schools and Adding Sixth Forms. The DfES Consultation forms part of the Five Year Strategy published in July 2004.

Decisions Required

- 1) To note the Harrow school place planning Issues
- 2) To consider the draft outline response to the DfES Consultation and comment accordingly

Reason for report

This report provides the members of the School Organisation Committee (SOC) with information about school place planning issues relating to St John's First School and St John's Middle School, Rooks Heath High School and Shaftesbury High School. The SOC considered up-dates to the School Organisation Plan 2003-07 at the meetings in March and July. This school specific information ensures that the SOC are informed about on-going developments.

The DfES consultation on the school place planning elements of DfES Five-Year Strategy published in July, closes at the end of December. The proposals in the Strategy and the consultation impact on the Statutory school place planning function of the LEA and SOC. This provides the opportunity for SOC to consider

the proposals and comment accordingly.

Benefits

- This report and the associated decisions provide relevant and current information to the SOC that may affect their work in the future.

Cost of Proposals

- There are no cost implications for the proposals in this report in respect of the local Harrow place planning issues
- At this stage the DfES consultation does not have any financial implications for the Council.

Risks

- SOC are not being required to make any decisions. At this stage there are no risks associated with the proposals in the DfES consultation or the local place planning issues.

Implications if recommendations rejected

Not applicable

Section 2: Report

Brief History

DfES Consultation on Proposals for Foundation Schools, Expanding Popular and Successful Schools and Adding Sixth Forms

- 2.1 In July 2004 the DfES issued its five-year strategy for children and learners. Chapter 4 of the strategy sets out a vision for the secondary school sector of independent specialist schools.
- 2.2 This vision is underpinned by proposals for foundation schools which:
 - encourage secondary schools to become more autonomous by becoming foundation schools
 - enhance the freedoms and flexibilities available to foundation schools.
- 2.3 The strategy also explains how the DfES intends to encourage the creation of more places in popular and successful secondary schools by:
 - speeding up the process for schools to expand

- introducing a presumption in favour of the approval of proposals for the addition of a sixth form by “high-performing” specialist schools.

2.4 On 4th October 2004 the DfES published two consultation documents with more detailed proposals on Foundation Schools and the expansion of successful and popular secondary schools and the addition of sixth forms by high-performing specialist schools. The consultation closes on 31st December 2004.

2.5 The proposals within the consultation could have far reaching implications for Harrow Council and its ability to implement changes for the age of transfer and post 16 provision and manage school places. The key Issues of the consultation and the Issues for Harrow are summarised in Annexe A for SOC’s consideration and comment.

Consultation on the proposal to amalgamate St John’s First School and St John’s Middle School

2.6 The Governors of St John’s First School and St John’s Middle School are undertaking a consultation with parents, staff and interested parties on the proposal to amalgamate the schools with effect from September 2005. The Governors will be considering the responses and comments from the consultation early in November. If the Governors agree, following the consultation, that the schools should amalgamate, Statutory Notices will be published. The Notices will be determined by the School Organisation Committee at the meeting in January 2005.

Reduction in Admission Number at Rooks Heath High School

2.7 Following a request from the Governors of Rooks Heath High School, and subsequent discussions, a consultation will be undertaken on the proposal to reduce the Admission Number from 260 to 210. If, following the consultation and Statutory process, this is agreed, it is expected that the reduction will take effect from September 2005 in Year 8.

Extension of Age Range of Shaftesbury High School.

2.8 The Governors of Shaftesbury High School have requested that the age range of the School is increased from 11-17 to 11-18 to reflect the pattern of provision being made for a small number of students in Year 13. Following further discussions with the Governors and the Council, this has been agreed. This will not impact on the overall number of students at Shaftesbury High School. It will increase the flexibility of the School to respond to the needs of a small group of students providing individual learning programmes in partnership with Harrow College. This brings Shaftesbury School in line with Kingsley High School and is

consistent with the 14-19 policy agreed by Cabinet on the development of the Harrow Sixth Form Collegiate and increasing partnerships with schools and colleges.

Options considered

- 2.9 The proposals in the DfES consultation have been considered by Officers and issues raised accordingly. These arise from concerns about the impact for the Council in respect of possible reorganisation for the age of transfer and post 16, for all LEAs on their statutory place planning function and also from some lack of clarity.
- 2.10 The proposals for St John's First School and St John's Middle School were the outcome of discussions with the Governors, the London Diocesan Board for Schools and the Council in accordance with the Council Amalgamation Policy agreed by Cabinet in March 2004.

Consultation

- 2.11 The DfES consultation closes on 31 December. The paper in Annexe A will be sent to Headteachers and Chairs of Governors requesting comments by 18 December if they wish to contribute to the LEA's response.
- 2.12 St John's Governors are undertaking a consultation on the proposed amalgamation. This consultation includes the parents and staff of the two schools, schools Harrow, neighbouring LEAs and Diocesan Boards in accordance with DfES Guidance. This will close on 1 November 2004.
- 2.13 There will be a consultation on the proposed change to the Admission Number for Rooks Heath School in accordance with DfES Guidance.

Financial Implications

- 2.14 At this stage there are no financial implications for the DfES Consultation or individual school proposals. As part of the work to support the consultations on the proposals to amalgamate St Johns First and Middle Schools and reduce the Admission Number at Rooks Heath, further financial details will be developed and made available for the decision making process.

Legal Implications

- 2.15 At this stage there are no legal implications.

Equalities Impact

- 2.16 At this stage there are no Equalities Impact implications.

Section 3: Supporting Information/ Background Documents

Annexes

- Annexe A
A summary of the DfES Consultation on Foundation Schools, Expanding popular and successful schools and adding sixth forms and Key Issues for Harrow .

Background Documents

- Harrow School Organisation Plan 2003-2007
- School Organisation Up-Date Reports to the School Organisation Committee March and July 2004
- Shaping Schools for the Future Report to Cabinet March 2004

DfES Five-Year Strategy
Consultation on Proposals for Foundation Schools, Expanding Popular and Successful Schools and Adding Sixth Forms
Summary and Key Issues for Harrow

1 Background

- 1.1 In July 2004 the DfES issued its five-year strategy for children and learners. Chapter 4 of the strategy sets out a vision for the secondary school sector of independent specialist schools.
- 1.2 This vision is underpinned by proposals for foundation schools which:
- encourage secondary schools to become more autonomous by becoming foundation schools
 - enhance the freedoms and flexibilities available to foundation schools.
- 1.3 The strategy also explains how the DfES intends to encourage the creation of more places in popular and successful secondary schools by:
- speeding up the process for schools to expand
 - introducing a presumption in favour of the approval of proposals for the addition of a sixth form by “high-performing” specialist schools.

2 Consultation papers

- 2.1 On 4th October 2004 the DfES published two consultation documents with more detailed proposals on Foundation Schools and the expansion of successful and popular secondary schools and the addition of sixth forms by high-performing specialist schools. The consultation closes on 31st December 2004.

3 Foundation schools

- 3.1 The DfES has issued a consultation paper and with two sets of draft amending regulations. *(Note: the DfES plans to consult separately on a proposed approach to employment issues arising from schools becoming employers of their own staff)*

Key Points

- 3.2 The Key Points are summarised as follows:
- all secondary community and voluntary controlled schools to have the right to become foundation schools (except poorly-performing schools under s15 School Standards and Framework Act 1998)
 - the introduction of a streamlined process to secure Foundation Status (Governing Body brief consultation, vote by Governing Body to publish notices and Governing Body Determine Notices)

- foundation secondary schools will be encouraged to acquire foundations, with the ability to appoint a majority of the governing body (examples of constitutional models are provided)
 - the governing bodies of all secondary schools to be able to appoint up to four sponsor governors (to strengthen relationships with external partners)
- 3.3 A community or voluntary controlled school, changing category to foundation, would automatically:
- take on formal ownership of its assets;
 - become the direct employer of its own staff;
 - become its own admission authority;
 - be able to publish statutory proposals for other changes.

Issues for Harrow

- 3.4 It is important that the time scale for publishing and determining notices is sufficient for there to be proper and meaningful consultation with parents, neighbouring schools, the LEA, SOC and any other interested parties. However, it is important that the time scale is not overlong so that uncertainty is reduced. The time scales suggested in the two consultation papers make it virtually impossible for there to be any proper or meaningful consultation.
- 3.5 The absence of a requirement for consultation prior to the Governing Body simple vote to publish notices causes considerable concern. Namely that all neighbouring schools and the LEA will only be informed during the Statutory Notice period, which has been reduced. This part of the proposal does not contribute to the partnership between either the school concerned and the wider school community of which it is part or with the LEA.
- 3.6 There is no guidance on providing access to the public to review the comments received during the consultation period of the Statutory Notices. This is applicable to all Council and DfES consultation processes.
- 3.7 Further guidance and advice will be provided on the acquisition of Foundations. It will be important to the Council that there is a mechanism for consultation with the Council on proposed Foundations. This is of particular relevance to the admissions policy criteria as this may impact on current patterns of recruitment to high schools. It is unclear about the impact on link school admission policies.
- 3.8 There are considerable implications for the Council in respect of the transfer of assets to the Foundation or Governing Body. Not only is this a complex issue, but it will impede considerably on the Council's ability to

plan and manage its land assets and deliver Extended Schools benefiting the school and community.

4 Expansion of successful and popular schools and addition of sixth forms by high-performing specialist schools

4.1 There are two parts to this consultation paper and a set of draft amending regulations.

Expansion of successful and popular schools - Key Points

4.2 The Key Points are summarised as follows:

- the expansion of popular and successful secondary schools will be supported and made easier. Although the arrangements do not apply to grammar schools, they apply to all schools including primary schools.
- there is no single definition of a popular and successful school, however, a set of school performance indicators are provided as well as the number of applications for places and any other information provided. The school performance indicators include absolute performance in key stage assessments and public examinations, performance in comparison with similar schools, value added and improvement over time.
- the strong presumption is that proposals to expand popular and successful secondary schools should be approved
- LEAs and Governing Bodies should take account of the wishes of parents in deciding which schools should expand
- the process of expansion will be shortened to 12 weeks
- the governing body will be entitled to attend the School Organisation Committee (SOC) meeting which is considering their proposals to make representations
- the governing body will have the right to refer any proposals rejected by the SOC to the adjudicator to decide
- the decision makers should ask the LEA how they plan to tackle and consequences for other schools
- the Decision Maker should only turn down proposals for successful and popular schools to expand if there is compelling objective evidence that expansion would have a damaging effect on standards overall in an area, which cannot be avoided by LEA action.

Issues for Harrow

4.3 The issue in respect of timescale is as outlined for Foundation Schools. In addition, there is concern about the 2 weeks provided to the SOC given the constitution of SOC's, notice required for meetings and impact of holiday periods etc.

- 4.4 The presumption that all proposals will be approved raises concern in respect of a transparent decision-making process, the consideration of cases on an individual merit basis and the wider, Council context that these proposals are being made. It is proposed that SOC should have a wider remit to turn down proposals for the expansion of schools and the addition of sixth forms in the light of the particular circumstances of the area concerned. Although it is acknowledged that the Adjudicator will judge proposals in the final instance. The criteria in the consultation are such that it would be almost impossible for SOC not to approve proposals even if the end it would result in extremely inefficient resources and would not be in the interests of the majority of parents in the Borough.
- 4.5 This proposal relates to all schools, including primary. It has potential to impact severely on the Statutory School Place Planning role of the Council and reduces the LEAs capacity to develop and implement proposals to address local issues. This is increased by the guidance about the presumption that proposals will be approved and that the existence of surplus places will be insignificant in the decision making process. The planning impact will be for less successful to experience falling rolls and a surge of other successful and popular schools submitting proposals.
- 4.6 There is a proposal that LEAs and governing bodies must take into consideration views of parents in determining which schools to expand. Further advice is required on who from and how these views should be collated and then considered.
- 4.7 The current guidance on the calculation of school capacities will remain. There is reference only to the available capital for secondary schools. Schools will be able to publish Statutory Notices on the basis of in principle support from the DfES for capital funding.

Addition of sixth forms by high-performing specialist schools

Key Points

- 4.8 The Key Points are summarised as follows:
- there should be a strong presumption in favour of the approval of proposals for new sixth forms if the relevant conditions apply:
 - (1) the school is a Specialist School that is assessed as meeting the DfES criteria for high-performing; **and**
 - (2) fewer than 20% of schools in the area have sixth forms **or** the overall 16-19 participation or attainment rates in the area are low
 - the timetable for the process will be 12 weeks

- 2 representatives of the governing body will be entitled to attend the School Organisation Committee meeting which is considering their proposals to make representations
- the governing body will have the right to refer any proposals rejected by the SOC to the adjudicator to decide

Issues for Harrow

- 4.9 These proposals apply to all secondary schools but there is a presumption that proposals will be approved for high performing Specialist Schools. The document does not include the criteria. Other concerns about presumed approval are outlined above.
- 4.10 There are currently no sixth forms in schools in Harrow which will strengthen the presumption to approve of proposals for new sixth forms. Considerable work has been undertaken to develop a 14-19 Strategy incorporating all providers. This is based on partnership and collaboration and the recognition that a range of vocational and academic courses, for learners of all ability must be provided. In addition, this approach is characterised by the recognition that 14-19 developments must maintain the comprehensive nature of provision in Harrow and not create perceptions of two tiers of schools.
- 4.11 The Tomlinson Report has far reaching implications and the ability to implement these will be further challenged with an increased number of sixth form providers, seeking to recruit the most able learners.
- 4.12 There is no indication of the capital funding that will be available to support sixth form developments.