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| 14 December 2016 | | Item 11 (Decision 01104391) |
| Cabinet | | |
| School Capital Programme 2017/18 and Lobby Team Update | | |
| Wards and communities affected: All | Key Decision: Key | |
| Report of: Councillor James Halden, Portfolio Holder for Education and Health | | |
| Accountable Head of Service: Rory Patterson, Corporate Director of Children's Services | | |
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| This report is Public | | |

Executive Summary

Our priority is not building "just enough places" to get by, but rather to provide enough provision so parents have a genuine choice, and this choice will in turn drive up standards via increased competition for pupil numbers. This means growing our local family of multi-academy trusts by providing the capital for our best schools to expand current provision, and working to deliver new provision within our MAT's via the free schools programme.

This report seeks approval for up to £7 Million funding to implement the next schools capital programme. This will include secondary school expansions and possible expansion of a further two primary schools. The School Capital Expansion Programme has a current estimated provisional value of £7 Million, to be funded from the DfE capital basic needs Grant, underspends from the current capital programme, and S.106 education funding and would therefore requires Council approval; this has the cumulative effect to deliver an ambitious package of expansions. There will be no requirement for prudential borrowing.

The report also gives an update as to the work of the lobby team supporting the ambitions of local schools to expand, in line with administration policy.

1. Recommendations:

- 1.1 That a provisional School Capital Programme budget of £7 million as set out in this report be approved.**
- 1.2 That authority subject to the Council's procurement rules delegate to the Director of Children's Services, in consultation with the relevant Portfolio Holder and Head of Legal, to commence, negotiate and award any contracts/agreements or documents incidental to the School Capital Programme within the budget as set out in this report.**
- 1.3 Cabinet to note the work of the lobby unit and endorse the direction of travel.**

2. Introduction and Background:

- 2.1 The local authority has a statutory responsibility to ensure that suitable and sufficient school places are available in Thurrock for every child of school age whose parents wish them to have one
- 2.2 The current school capital programme consists of three projects in Thurrock schools. All projects in this extensive programme are due to be completed imminently or are in phase 2 with a completion date of February 2017. All projects are predicted to be completed on time and within budget.
- 2.3 Through detailed pupil place forecasting and analysis of current Year 6 numbers, there is a predicted need to provide additional secondary places from September 2017. We currently have 2,062 children in year 6 with in our primary schools and there are 1,947 secondary places available as per PAN. (This includes Hassenbrook having an intake of 150 in year 7). We also need to take into consideration the number of in-year admissions, which continues to increase year on year therefore, we also need to build in some additional capacity to meet this demand.
- 2.4 A stringent process has been followed in order to decide on which secondary schools should be expanded. This commenced with a discussion held with each secondary head to establish the schools view on expanding by 1 form of entry (180 pupils). The schools that were in favour of expansion were noted and proceeded to the next stage.

The second stage was for officers from Admissions, Highways, Finance, School Improvement, Transport & Awards & Benefits to meet together which happened on 6th September where discussions took place and each member asked to provide narrative for their service area and provide a score from 1-5 (5 being the highest support) with regards support for or against expansion and from this the strongest schools would be identified.

The third stage is for recommendation to be presented to the Corporate Director and Portfolio holder for Education and to consider feedback from

officers and agree those schools to be expanded . Officers would then notify the successful schools.

When identifying the number of places required this took into consideration Hassenbrook returning to its previous intake of 150 pupils whilst also building in capacity to cater for in-year admissions which continues to increase.

- 2.5 In order to provide these extra places, an expansion programme led by the council's school capital team is required to start imminently and is likely to focus on the expansion and adaptation to two or three secondary schools and two primary schools. Feasibility studies will be carried out where necessary.
- 2.6 As part of our ongoing strategic analysis of future demand It is envisaged that a further three new secondary schools (at least) are anticipated to be required in Thurrock within the next five years. It is likely that this need will be met through the Free School bidding process. Whilst Thurrock is supporting the Free School programme these expansions would in no way put any school at risk. These places are required to meet the short to medium term demand as it will take time for any new schools to be built.
- 2.7 The secondary schools that we are proposing to expand at this time are The Ockendon Academy and St. Clere's School. It is proposed that both will take in an additional form of entry. Ockendon and St. Cleres are both strong schools and supporting other schools in their MAT's; their expansion is in line with administration policy.
- 2.8 The names of the primary schools to be expanded will be notified to Cabinet at their next meeting where a capital update report is due. Feasibility studies will be carried out imminently on some of the schools within the planning areas where additional places are required and those that have been identified as the best options who will also offer good educational outcomes and value for money will be expanded.

The lobby unit

- 2.9 A Lobby Unit has been established to work with schools to lobby the DFE, EFA and so on to help deliver new free schools. The authority is ambitious to build big.
- 2.10 The council wants to build more capacity to move ourselves into a position where we do not always have to react in an ad hoc manner to cater for demand via expansions, and to avoid a repeat where parents in West Thurrock had to take their child across to East Thurrock for school.
- 2.11 In addition, it is not just about space. We want to help our existing family of multi academy trusts expand to increase resilience in the system. As existing MATs, we want to invest in what we have and we have started with the help of Government. We believe this will be of great benefit as through close working and economies of scale they will continue to drive efficiencies at the same time as delivering to a high standard.

- 2.12 Expanding the existing capacity of MATs will allow them greater scope to share best practice in their network, but will also mean that we give children a far more comprehensive offer from nursery age to sixth form. We have gone from 33% of schools being good or outstanding to 90% in just 5 years; this is all down to the conversion to academy status, and the council moving towards supporting school on school improvement and focusing on a strong leadership and critical friend relationship that we are now building on.
- 2.13 Finally, competition between schools exists where offers need to compete. Competition cannot exist if there is no parental choice, which is why the policy to expand our strong schools in strong MAT's is vital for the future.
- 2.14 Members of the Lobby Unit have visited many schools and conducted an audit of the various free school bids. Knowing our local education market and acting in a leadership role to make sure we have a robust critical friend system as we hope to expand MAT's is vital to shape the future.
- 2.15 Points 2.15 to 2.20 outline the pressures we are under and the current position in regards to outcomes from the lobby team to deliver more free schools.
- 2.16 Our year 6 pupil place planning forecasts shows a need for additional schools places and that is based on planning applications to date. We have seen a significant growth in our primary sector with almost 17,000 primary places developed and we have struggled to meet demand to date with the expansion of some existing schools with bulge classes in existing stock and through new build. We face a challenge over the next five years and will face significant challenges as pupils move up to secondary where we have less than 10,000 places currently.
- 2.17 In the last two years alone there have been around 1200 in-year admissions to add to the situation. This underscores the demographic change and the London drift into Thurrock that will only increase as our housing and job regeneration programmes increase. A few years ago we had a places crisis. With the massive development in the West of the borough around Chafford Hundred, changing demographics and London drift, we did not have enough school places and families had to either move east or make arrangements for their children to travel some distance to school. This put a tremendous burden on working families.
- 2.18 We currently have 2,062 children in year 6 that will move to secondary schools in September 2017. We have just 1,947 places; this problem will get far worse. We are about to embark on some expansions to meet this demand. But this growth will continue over the coming years and our estimate is for at least 3 new secondary schools over the next 5/6 years to meet current demand alone.
- 2.19 Thurrock, being the key part of the London Thames Gateway is an ideal place to attract industry and continue to be a place of choice to work and live. Being

some 20 miles east of central London we are experiencing a relentless demographic shift from London and also have many families moving into Thurrock from other countries. Thurrock's population is 163,270 having grown by 11% over the last 10 years. Over the next several years we are expecting 20,000 new homes and for 15,000 jobs to be created. The council's ambition is for these jobs to go to Thurrock families and ensure that children leave school with the right level of qualifications to place them at the top of the list for jobs. If successful and we believe it will be, this creates a demographic shift with even more families moving into Thurrock.

- 2.20 The Thurrock Pupil Place Plan outlines the local need, as well as the ways in which we feel each bids compliments, and does not compete with each other. The document sets out the vision we have for regeneration and education in the borough from our boundary on the East in Fobbing to the boundary in the West in Aveley ensuring that there is a strategic fit, and description of creating how each bid contributes to the whole. The plan shows how this will impact on the demand for school places over the next five years and vitally how we need this one vision of how all of these free school bids will complement the wider need, and not just an ad hoc support of individual bids to alleviate a crisis in under provision.
- 2.21 We have had meetings with the Regional Schools Commissioner, as well as wider partners who have been very receptive to our efforts, and the current outlook is positive.

The demand for a Thurrock Grammar school

- 2.22 Thurrock has already had national press coverage for our policy position of being pro-grammar school, we now want to make sure we are well ahead of the line when it comes to advancing a formal bid. Thurrock will show leadership and lead the way.
- 2.23 Thurrock already has a great deal of children going out of Thurrock to access a grammar school – this year it was 100 alone. This means a great burden is placed on working families to arrange the logistics of lengthy commutes for children.
- 2.24 Thurrock has an inbuilt disadvantage compared to children in areas with grammar schools in the fact that they has such large amount of prospective candidates taken locally whereas Thurrock children need to compete with many other children in neighbouring boroughs, and very many from more prosperous backgrounds. Other children will always have a better prospect than Thurrock children in terms of locality.
- 2.25 We are working hard with partners to deliver our vision of a grammar school, with many meetings with providers haven taken place and feasibility discussions having been had over the past few months. Positive conversations with grammar school providers have been had with senior officers and these following points will soon form basis of a submission proposal to the Regional Schools Commissioner and the DFE.

- 2.26 The new school must be co-ed i.e. taking in both girls and boys to ensure we can cater for all those from the most in need who can be stretched to achieve excellence.
- 2.27 The new school must cater to the disadvantaged and the admissions criteria will reflect the need to take in a significant proportion of students from disadvantaged backgrounds such as those on free school meals who could not afford to move / travel for alternative provision, or afford additional support.
- 2.28 Additional capacity must also help attract the best and brightest to Thurrock which will aid the economy of the entire region. For example, we would welcome applicants from areas like Basildon so we can genuinely build a resource for the most deserving children from the local area while ensuring that all of our local schools in Thurrock do not see too much change too quickly.
- 2.29 Finally, a wrap around offer for our primary school children. Thurrock already boasts strong relationships between primary and secondary schools to ensure that these critical friend relationships eases the transition through school phases. We would ensure that our family of primary schools have the appropriate support for preparing children for the 11 plus.

3. Issues, Options and Analysis of Options

- 3.1 If the local authority does not undertake the school expansions and builds, the local authority will not be able to fulfil its statutory responsibility to ensure that there are sufficient places available in Thurrock for every child of school age.
- 3.2 The contract, due to its potential value over the threshold, is subject to Thurrock Council & EU procurement legislation.

4. Reasons for Recommendation

- 4.1 Funding to the value of £7 Million is requested in order to take forward the expansion programme for those identified schools and deliver required pupil places from September 2017 and meet the council's statutory duty.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1. This report has been considered by the Overview and Scrutiny Committee.
- 5.2. The principle has been agreed with schools and any detailed build content will be agreed with the relevant schools. Consultation will continue with each school and key stakeholder, as each scheme and schedule of works evolves within the programme.

6. Impact on corporate policies, priorities, performance and community impact

6.1 Approval of this funding will enable the Council to continue to meet its statutory duty under the Education Act 2006.

7. Implications:

7.1 Financial

Implications verified by: **Kay Goodacre**
Finance Manager Adults and Children's

Additional accommodation required to meet the statutory requirement to provide places for the increasing pupil numbers will be funded from a combination of the DfE capital basic needs grant, underspends from the current capital programme and Section 106 monies held for Education provision. Once in-depth feasibility studies have been undertaken, funding requirements will be quantified and confirmed. This will include any additional funds applied for and successfully obtained from the Education Funding Agency, under the Targeted Basic Need Programme, which supports specific place needs in Local Authorities with exceptional growth.

7.2 Legal

Implications verified by: **Assaf Chaudry**
Major Project Lawyer

The Council has a duty under the Education Act 1996 to ensure the provision of "sufficient schools" for the provision of primary and secondary education in their area.

The Council should also be cognisant of the obligations arising under section 6(2) of the Academies Act 2010 in that on conversion of a maintained school the Council has no obligation to maintain (financially or otherwise) the new Academy or MAT.

The report proposes to commence a procurement exercise for the schools capital programme, and contractors to take forward the proposed schemes within the current affordability envelope of £7 Million. Given its value it has to comply with the Council's procurement rules including the Public Contract Regulations 2015. Other than that there are no other legal implications arising from this report.

7.3 Diversity and Equality

Implications verified by: **Natalie warren**
Community Development Officer

There are currently no direct diversity and equality implications. However, the next Thurrock Schools' Capital Programme will continue to commit to improving learning environments for young people, supporting improvements in standards and raising aspirations to give all children the best possible life chances. The provision of these projects will help to tackle inequality and social exclusion.

Equality legislation places a duty on public bodies to prevent discrimination in all aspects of service provision, including procurement. It provides a clear and positive legal duty to eliminate discrimination and ensure equality of opportunity.

The Council should note that where an external supplier carries out a function, the Council remains responsible for meeting the statutory duty set out in these Acts. A community and equality impact assessment will be completed to inform the tender process.

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Pupil Place Planning Documents 2016-2020

9. **Appendices to the report**

- None.

Report Author:

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