

ESTABLISHMENT OF A NEW PRIMARY SCHOOL IN CLAY FARM, CAMBRIDGE

To: Children and Young People Committee

Meeting Date: 10 November 2015

From: Adrian Loades, Executive Director: Children, Families and Adults Services

Electoral division(s): Trumpington

Forward Plan ref: N/A **Key decision:** No

Purpose:

- a) To advise the Committee of the outcome of the process adopted by the Council to discharge the statutory requirement, under the Education Act 2011, to seek a sponsor the new primary school at Clay Farm, Trumpington, Cambridge.
- b) To seek the Committee's endorsement of the Cambridge Primary Education Trust (CPET) as the Council's approved sponsor for the new primary school.

Recommendation: Members are asked to endorse CPET as the Council's approved sponsor for the new primary school at Clay Farm, Trumpington, Cambridge.

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1.0 BACKGROUND

- 1.1 The Council, as the local Children's Services Authority, has a statutory duty to provide a school place for every child living in its area of responsibility who is of school age and whose parents want their child educated in the state funded sector. To achieve this, the Council has to keep the number of school places under review and to take appropriate steps to manage the position where necessary. The Education and Inspections Act 2006 also requires local authorities to adopt a strategic role, with a duty to promote choice, diversity and fair access to school provision.
- 1.2 The Council has a statutory duty under the Childcare Act 2006 to secure sufficient childcare for parents to work or to undertake education or training which could lead to employment (section 6) and secure free early years provision for all 3 and 4 year olds (and up to 40% of 2 year olds who meet nationally set eligibility criteria) of 15 hours a week, 38 weeks a year, of early years education.
- 1.3 As part of the 2005 Cambridgeshire and Peterborough Structure Plan, a number of major development sites were identified on the fringes in Cambridge. These included the Cambridge Southern Fringe, which consists of 1,200 homes at Trumpington Meadows and 2,500 homes across the Clay Farm and Glebe Farm sites.
- 1.4 In response to the Southern Fringe developments, the Council identified the need for two new primary schools, the first of which, Trumpington Meadows Primary School opened in September 2012 as a 1 form of entry (FE), 210 place school. It will expand to become a 2FE, 420 place school in 2016. The second new school, on the Clay Farm development is required to open in September 2017. As well as the new schools, Fawcett Primary School has been increased in size to 2FE effective from 1 September 2015.
- 1.5 The 2011 Education Act sets out the following requirements for local authorities with regard to the establishment of new schools:
 - To seek proposals for the establishment of an Academy or Free School, and specify the date by which proposals must be received.
 - Following the published closing date by which proposals should have been submitted, the Council must contact the Secretary of State for Education, to outline the steps it has taken to secure applications for the establishment of an Academy or Free School, together with details of any which have been received.

Only if no Academy or Free School proposals are received, can the Council seek the Secretary of State's permission to begin a competition process to establish a maintained school under the provisions set out in the 2006 Education Act.
- 1.6 An amendment to the 2006 Education Act, approved under the 2011 Act (section 11 (1a)) makes provision, as a special case, for persons to propose to establish a new voluntary aided school in England.

- 1.7 With effect from 1 May 2015, all new schools established to meet basic need (other than new voluntary aided schools) will be classified as free schools. This reflects the fact that “free school” is the Department for Education’s (DfE’s) term for a new provision academy. “Academy” is a legal term for state-funded schools that operate independently of local authorities and receive their funding directly from the Government. The schools established are not required to use the term “free school” in their name.

2.0 MAIN ISSUES

- 2.1 The Clay Farm and Glebe Farm future developments are forecast to generate demand for around 630 additional primary school places (the equivalent of 3 FE). The table below shows the forecast demand for places for primary-aged pupils from these sites over the next five years. Approximately 1,000 homes are yet to be built. It has been compiled using the latest information about completions and housing mix available for the developments.

School Year	AGE of pupils											Total	Total 4 – 10
	0	1	2	3	4	5	6	7	8	9	10		
2015	42	46	48	46	40	35	33	31	29	29	13	408	210
2016	62	69	73	72	65	59	54	49	47	45	20	640	339
2017	75	81	88	90	85	78	72	65	60	58	24	808	442
2018	80	84	90	96	96	91	84	77	70	65	30	896	513

Trajectory as per information supplied by Growth and Development Team Jan 13

- 2.2 It is planned to open the new school in September 2017, suggested with initially 30 places in Reception. Places in other Key Stage 1 year groups may be offered, depending on the demand from the development, and capacity at Trumpington Meadows and Fawcett to accommodate this appropriately. These three schools will share a catchment area to begin with so that all children will be offered a place at one of the three schools. This approach is being adopted to minimise the impact on Trumpington Meadows and Fawcett of movement of pupils between schools.

3.0 ACADEMY/FREE SCHOOL SPONSOR PROCESS AND OUTCOME

- 3.1 The main elements of the sponsor selection process date back several years as they were established in response to the requirements of the 2006 Education Act. The process was reviewed and updated in 2012 to take account of the requirements of the 2011 Education Act, receiving Cabinet approval on 17 April 2012. More recently, some slight adjustments have been made to take account of the Council’s new decision-making arrangements. The process consists of six main stages:

- Development and publication of a specification detailing the requirements and expectations of the potential academy/free school sponsor together with a background document which provides the context for the need for the school and the area in which it will be

established.

- Invitation to potential sponsors to submit applications within a set timeframe.
- Assessment and scoring of the applications. Only applications deemed to have met a certain standard will be shortlisted and taken forward to the next stage.
- A public meeting at which the applicants are asked to present their proposals and answer questions from the audience. Applicants are requested to prepare a presentation which should take no more than 15 minutes to deliver.
- Assessment and scoring of the way in which the applicant presented their proposals and responded to questions from the audience at the public meeting followed by an interview with a joint officer and Member panel during which the applicants will be asked a series of questions. This usually lasts around 1 hour. The panel is also provided with a summary of any written comments or feedback received following the public meeting. The panel membership is drawn from the following:
 - members of the CYP Committee;
 - the local County Councillor(s) for the area in which the school will be established;
 - the Head of the Schools Intervention Service or their representative;
 - the Head of Service, 0-19 Place Planning and Organisation (Chair)
 - the 0-19 Strategic Policy and Place Planning Manager; and
 - the 0-19 Area Education Officer
- The panel discusses each of the proposals in detail, taking account of what they have read, seen and heard from which a combined score for each application is derived.

- 3.2 In June 2015, the Council published both a local and a national press announcement setting out the need for a new primary school to serve the Clay Farm development. Potential sponsors were invited to submit proposals by 31 August 2015, to establish and run the school. The Background Information document and the detailed School Specification document produced to support potential applicants/sponsors in developing their proposals are available on the Council's website through the following link:

http://www.cambridgeshire.gov.uk/info/20059/schools_and_learning/347/school_changes_and_consultations/13

The documents were also sent to the DfE.

- 3.3 One proposal was received by the deadline from the Cambridge Primary Education Trust (CPET).

The executive summary is available to either view or download from the Council's website through the above link.

- 3.4 A public meeting was held on 15 September 2015 when representatives from CPET presented their proposals and answered a range of questions. The audience included members of the assessment panel. Questions raised related to:
- How CPET would work with the existing local schools and residents in the area
 - How the opening of the new school might affect admissions to the existing local schools, specifically children with siblings at Trumpington Meadows Primary School
 - How CPET would manage the challenges involved in opening a new school in a new community that was still growing
 - The formation and composition of the local Governing Body, including the opportunity for parental involvement
- 3.5 The joint Member/officer Assessment Panel met on the 25 September 2015 to interview CPET and assess their application against the criteria detailed in the School Specification document. The interview panel comprised one of the CYP Spokespersons, together with the Local Member for Trumpington and Council officers. In addition, an officer from the DfE participated in the interview.
- 3.6 The Assessment Panel was unanimous in its view that the Council should endorse CPET to run the new school. It was noted that the proposal was particularly strong in a number of areas, including in respect of the potential sponsor's:
- Enthusiasm, motivation and evident commitment to the provision of high quality teaching and learning
 - Strong sense of partnership and teamwork
 - Evident sensitivity to community issues and plans for engaging parents and the wider community in the school
 - Proven track record and broad range of primary/early years experience and skills
 - Understanding and planned approach to meeting with needs of children with English as an Additional Language (EAL).
- 3.7 However, the Assessment Panel noted that there were a number of areas where they felt additional information and clarification was required as part of the implementation of the proposal, if approved by the Regional Commissioner. The particular areas of focus were identified as being:
- How pupils with special educational needs and/or disabilities (SEND), and those eligible for Pupil Premium Funding, would be supported to achieve their potential.
 - How the Trust would undertake assessment of pupils' performance.
 - Clarification around how the financing and implementation of the proposal would be delivered.

- 3.8 All the information used by the Assessment Panel to reach its recommendation to Committee, together with the outcome of Committee's consideration of the proposals, will be forwarded to the Regional Commissioner immediately following the Committee meeting.
- 3.9 A decision will be made by Regional Commissioner and his head teacher reference group on whether they will recommend that the Secretary of State enters into a funding agreement with CPET.

4.0 ALIGNMENT WITH CORPORATE PRIORITIES

4.1 Developing the local economy for the benefit of all

Providing access to local and high quality education and associated children's services will enhance the skills of the local workforce and provide essential childcare services for working parents or those seeking to return to work. The school and early years and childcare services are providers of local employment.

4.2 Helping people live healthy and independent lives

If pupils have access to local schools and associated children's services, they are more likely to attend them by either cycling or walking rather than through local authority-provided transport or car. They will also be able to access more readily out of school activities such as sport and homework clubs and develop friendship groups within their own community. This will contribute to the development of both healthier and more independent lifestyles.

4.3 Supporting and protecting vulnerable people

Providing a local school will ensure that services can be accessed by families in greatest need within its designated area.

5.0 SIGNIFICANT IMPLICATIONS

5.1 Resource Implications

- 5.1.1 New academy schools receive a combination of Council and Education Funding Agency (EFA) funding. The main funding will be based on the local formula applied to all schools, but will need to include diseconomies funding to reflect the costs incurred whilst the new school fills to capacity.

5.1.2

Funding:	Funding Body:	Detail:
Local Formula Funding	EFA	Based on the Council's local formula. Funding recouped from the Council and allocated by EFA (some factors based on county averages in initial years)
Pupil Premium	EFA	Based on National Pupil Premium funding rates
Funding for Education Services	EFA	Based on National Education Services Grant (ESG) funding rates
Insurance Grant	EFA	Additional funding available to support insurance costs
Diseconomies Funding	Local Authority	Funding from the Growth Fund to recognise costs whilst the school fills to capacity.
Pre-opening Revenue	Local Authority	Funding from the Growth Fund prior to opening to support costs
High Needs Pupil Top-Up Funding	Home Local Authority	Top-Up funding for pupils with statements of SEN

- 5.1.3 Where a new school (other than a free school which is not being opened to meet basic need) is due to open, the regulations require that authorities should estimate the pupil numbers expected to join the school in September and fund accordingly. Local authorities should also estimate pupil numbers for all schools and academies, including free schools, where they have opened in the previous seven years and are still adding year groups. These estimates should be adjusted each year to take account of the actual pupil numbers in the previous funding period. For academies an allocation of funding is recouped from each local authority and following formula replication by the EFA an annual grant allocated.
- 5.1.4 Alongside the main formula funding, the Council is required to have a centrally-retained Growth Fund to fund post start-up costs and any diseconomy of scale costs for new schools provided to meet basic need and to support schools anticipating growth, including academies. The fund has been created from a top-slice from the schools block distribution total prior to budget setting. The amount in the fund and the criteria for its allocation are agreed by Schools Forum. The EFA will continue to fund start-up and diseconomy costs for new free schools.
- 5.1.5 Pre-opening funding for Primary Schools is currently £50,000 and is calculated on the basis of 1 term prior to the date of opening. Post-opening diseconomies funding is provided at the rate of £125 for each new mainstream place created in the primary phase on an annual basis, plus an additional allocation to reflect the number of year-groups that the school will ultimately have that do not yet have pupils.

- 5.1.6 Final revenue funding amounts for new schools will vary depending on numerous factors. As the majority of the funding will come directly from the EFA their application of the local formula factor and national factors is key to determining these amounts.
- 5.1.7 The methodology for funding new schools is subject to change dependent on local and national policy changes and as such will be reviewed on an annual basis.
- 5.1.8 Section 106 funding has been secured from the developers, Countryside, Bovis and Crest, to meet the capital costs of building the new school.

5.2 Statutory, Risk and Legal Implications

- 5.2.1 There are specific statutory requirements which have been followed in seeking a successful sponsor for the new primary school under the provisions of the Education Act 2011. The process adopted by the Council is compliant with the requirements of the Act.
- 5.2.2 The Council will grant a standard 125 year Academy lease of the whole site (permanent school site) to the successful sponsor based on the model lease prepared by the DfE as this protects the Council's interest by ensuring that:
- The land and buildings would be returned to the Council when the lease ends.
 - Use is restricted to educational purposes only.
 - The Academy is only able to transfer the lease to another educational establishment provided it has the Council's consent.
 - The Academy (depending on the lease wording) is only able to sublet part of the site with approval from the Council.

5.3 Equality and Diversity Implications

- 5.3.1 The Council is committed to ensuring that children with (SEND) are able to attend their local mainstream school where possible, with only those with the most complex and challenging needs requiring places at specialist provision.
- 5.3.2 The accommodation provided for delivery of early years and childcare and primary education will fully comply with the requirements of the Public Sector Equality Duty and current Council standards.

5.4 Engagement and Consultation Implications

The process adopted by the Council for consideration of potential new school sponsor proposals makes provision for a public meeting at which members of the local community can meet them and ask them questions about their proposals. The public meeting took place on Tuesday 15 September 2015. It was attended by 27 people, including 10 local residents.

5.5 Public Health Implications

The school will be accessible to pupils as either pedestrians or cyclists. If children had to attend schools some distance away (more than 2 miles) they would be provided with free transport by the Council in accordance with its statutory duty.

5.6 Localism and Local Member Involvement

The local Member for Trumpington, Councillor Barbara Ashwood participated in the joint officer/member panel.

Source Documents	Location
<ul style="list-style-type: none">• Assessment Panel Evaluation Document• Assessment Panel Interview Questions 17 September 2015• Notes of Public Meeting 16 September 2015• School Specification Document June 2015• Cabinet Report – Establishing New School: New Legislation, Policy and Strategic Implication (17 April 2012)• Establishing a New Maintained Mainstream School – A Guide for Local Authorities (DCSF February 2010)• Cabinet Report - New Schools Competition Arrangements Policy and Decision-Making Process (11 September 2007)• New School Revenue Funding Policy 2015/16	<p>Jessica Woods</p> <p>0-19 Place Planning and Sufficiency Officer</p> <p>OCT1213 Shire Hall Cambridge CB3 0AP</p>