

**REVIEW OF POLICIES AND WORKING PRACTICES IN RESPONSE TO  
DEMOGRAPHIC PRESSURES**

*To:* **Children and Young People Committee**

*Meeting Date:* **19 January 2016**

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

*Electoral division(s):* **All**

*Forward Plan ref:* **2016/008** *Key decision:* **Yes**

*Purpose:* **To set out for Committee's consideration and approval, policy revisions to inform the specifications for new schools and the expansion of existing schools. The revisions are proposed in order to best ensure that the Authority is able to fulfil its statutory duty to provide sufficient early years and school places in response to demographic changes**

*Recommendation:* **To endorse the recommended policies set out in sections 2, 3 4 and 5 (summarised in the table in section 6) to:**

- (a) establish new primary schools with up to 840 places;**
- (b) expand existing primary schools to up to 840 places**
- (c) establish the first primary school in a new community/development for 2-11 year olds**
- (d) establish/expand a secondary school up to a maximum of 1800 places**
- (e) provide ancillary facilities for mainstream pupils with special educational needs and disabilities (SEND) as part of the design specification for new schools**

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## **1.0 BACKGROUND**

- 1.1 Section 14 of the Education Act 1996 places local authorities (LAs) under a general duty to provide a school place for every child living in the area who is of school age and whose parents want their child educated in the state funded sector.
- 1.2 The Education and Inspections Act 2006 placed additional duties on LAs, including to ensure fair access to educational opportunity, to promote choice for parents and secure diversity in the provision of schools. The Act also placed an explicit duty on LAs for the first time to respond formally to parents seeking changes to the provision of schools in their area, including new schools.
- 1.3 Under the Childcare Act 2006, LAs have specific duties to secure:
- sufficient and suitable childcare places to enable parents to work, or to undertake education or training which could lead to employment;
  - sufficient and suitable early years places to meet predicted demand; and
  - free early years provision for all 3 and 4 year olds (and more recently the 40% most vulnerable 2 year olds) of 15 hours per week 38 weeks per year.
- 1.4 In September 2007 Cabinet endorsed a set of underpinning policies to inform the specification for all new schools. It included the following:
- size of schools
  - age range of schools
  - provision for pupils with special educational needs
  - definition of catchment areas for new schools
  - the role of new schools in hosting and delivering services within the community
- 1.5 In November 2009, various aspects of policy, policy preferences and working practices were re-evaluated by Members (through the Children and Young People's Policy Development Group) in the light of experience since 2007, and the urgent need to provide additional primary school capacity as a result of rising birth rates.
- 1.6 The following is a summary of the policy statements endorsed by Members to date:
- Where there is an identified need for additional early years and childcare places in a particular area, including where a new primary school is being established in a new community, the LA should always consider alternative models to meeting need in preference to establishing a maintained nursery class
  - Primary schools serving the 4-11 age range should be established, where possible, as either 210 (1form entry (FE))<sup>1</sup> or 420 place (2FE) schools or 630 places (3FE) with the size being considered on a case by case basis depending on the local context and the under-pinning requirement of the LA to be in a position to meet its statutory duty to secure sufficient school places in time to meet forecast demand.

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<sup>1</sup> A form of entry (FE) = 30 children. A primary school described as 1FE has capacity to provide for 30 children in each of its 7 year groups, 210 children in total (30x7x1). A secondary school described as 5FE has capacity to provide for 150 children in each of the 5 year groups, 750 in total (30x5x5).

- The LA's preferred maximum size for separate infant and junior schools and all-through primary schools operating on a split site should be 4FE (360, 480 and 840 places respectively)
- Secondary schools should be established to serve the 11-16 age range, unless the best option for securing additional post-16 capacity, in response to demographic growth, is identified as the provision of an 11-19 school.
- The LA should continue to operate without a strict policy on size of secondary school, in order to promote diversity and reflect local circumstances and opportunities. Only in exceptional circumstances should the LA consider establishing a secondary school smaller than 4 FE (600 places) or larger than 11 FE (1650 places) for the 11-16 age range.
- New schools should have a defined catchment area informed by existing schools' catchment boundaries and the LA's Sustainable Travel Strategy, which promotes walking and cycling to school.

1.7 Recent changes in legislation, combined with demographic changes, the significant population growth and planned housing development in Cambridgeshire, mean that there is again a need to review various aspects of existing policies and working practices with regard to the planning of educational provision. In addition, the financial restrictions on the LA are now considerably more challenging than in 2009.

## **2 PROPOSALS FOR REVISIONS TO EXISTING POLICIES, POLICY PREFERENCES AND WORKING PRACTICES**

### **2.1 Primary School Size- all through primary schools**

#### **2.1.1 New schools**

The LA's practice has been to establish new primary schools as either 210 (1FE), 420 (2FE) or 360 (3FE) places schools, where possible, on the basis that this both facilitates single year group teaching and the implementation of Infant Class Size legislation which limits Key Stage 1 class sizes (Reception, Year 1 and Year 2) to 30 pupils per teacher. Since 2009 the establishment of a number of new 3FE primary schools has been agreed including:

- Isle of Ely Primary due to open on its permanent site in 2016
- Ermine Street Primary, the first primary school at Alconbury Weald (due to open in September 2016)
- Pathfinder Primary, the first primary school at Northstowe (now expected to open September 2017)

2.1.2 The revenue costs of opening a new school are considerable. Government policy is that LAs have to meet from the Dedicated Schools Grant pre-opening costs (£50k for primary, £150k for secondary and £130k for special schools are the amounts agreed with Schools Forum) and any post-opening diseconomies of scale until the pupil numbers reach the point that the school becomes self-financing. This period can last for at least 5 years.

2.1.3 There is a lot of research on the effect of primary class size on educational attainment but less so on the impact of overall school size. The National Federation for Educational Research has not undertaken any research into the relationship between size of primary school and pupil outcomes. The 2009 report of The Office for Standards in Education (Ofsted) on twenty outstanding primary schools does not mention school size as a determinant of

success and it looked at outstanding schools of all sizes and concluded that what makes a difference in these outstanding schools is excellent leadership, team work, quality of teaching, assessment, values, aspiration and inclusion.

- 2.1.4 Studies undertaken outside the UK have not reached any firm conclusions. A recent study published in the USA in January 2015 (Gershenson & Langbein) concluded that, on average, there is no causal relationship between school size and academic performance. However, it identified two subgroups of risk of significant harm by school size: socio-economically disadvantaged students and students with special educational needs and disability (SEND). The largest effects are observed among students with SEND.
- 2.1.5 Increasingly the LA is facing challenges when negotiating to secure school sites from developers. For example, a development forecast to yield the need for 5.9FE of primary provision would suggest 2 x 3FE primary schools. However, this leaves very little margin for error if the housing mix were to change and more primary school places were required. Under the current policy officers would need to seek a 3<sup>rd</sup> school site. However, the case for two sites each able to accommodate a 4FE school is more palatable for developers, it makes the schools and developments more viable and creates a better balance of primary provision.
- 2.1.6 **Proposal:** that, where appropriate, on a case by case basis, new primary schools should be established up to 4FE (840 places).

## 2.2 School expansions

- 2.2.1 Since 2007, a number of schools have expanded to become 3FE (630 places): Brampton, St Matthew's in Cambridge and Cottenham primary schools.
- 2.2.2 Where sites of appropriate size or location for new schools are limited in growing communities and/or the numbers of planned additional dwellings will be insufficient to create a new school of a viable size, a pragmatic approach is required to secure additional capacity. For example it may be more appropriate and cost effective to expand an existing 2 or 3FE primary school rather than establish a second primary school which would be substantially smaller and create an imbalance of provision within that community.
- 2.2.3 **Proposal:** in light of the unprecedented levels of growth within the County, primary schools can be expanded to operate on the basis of 4FE (840 places) where appropriate.

## 3 **School Age range**

### 3.1 Primary

- 3.2 Two significant developments have taken place since the LA last reviewed its policies and practices with regard to educational provision:
- the targeted expansion of funded two-year old places for income deprived families (from September 2013) and other priority groups (from 2014)
  - the general multipliers used to forecast the numbers of children for a given number of new homes were revised (and approved by CYP Committee) in September 2015 resulting in the general multipliers for pre-school age children being increased, from 18-25 to 20-30 per 100 dwellings.

- 3.3 In addition, following the general election in May 2015, the government is fast-tracking legislation which will increase the statutory entitlement to early years provision for 3 and 4 year olds to 30 hours per week for 38 weeks of the year beginning in some pilot areas in September 2016 and nationally in 2017. Cambridgeshire has not been identified as one of the pilot areas.
- 3.4 The combined consequence of these changes is that, in order to fulfil its statutory sufficiency duty, the LA will need to be able to provide more early years places than it currently does.
- 3.5 **Proposal:** that the first primary school in any new community should serve the 2-11 age range whereas currently new schools are established to serve the 4-11 age range with on-site provision for early years and childcare which may or may not be run by the school. In addition, there should be an explicit expectation that all potential school sponsors will commit to guarantee to make available the on-site accommodation provided specifically for the delivery of early years and childcare, for children aged 2 - 4 from the day on which the school opens.

#### **4 Secondary school size**

- 4.1 Currently the LA's preferred maximum size of secondary school is 11FE (1650 places) to serve the 11-16 age range. In October 2009 Cabinet approved the provision of a secondary school of this size on a site capable of providing up to 12FE (1800) to serve the new 9,500 housing development of Northstowe. Revised pupil forecasts since then indicate that the school will need to be 12FE and it is planned to construct it in 3 phases, each comprising 4FE.
- 4.2 In terms of school organisation and curriculum delivery 12FE is a more practical model than 11FE.
- 4.3 Pressure upon secondary provision in other parts of the County as the larger primary cohorts move through and new primary school provision is established e.g. Huntingdon and St Neots, mean that it may be necessary to expand existing secondary schools to 12FE.
- 4.4 **Proposal:** that the LA's preferred maximum size of secondary school should be 12FE

#### **5 Provision for pupils with identified special educational needs in mainstream provision**

- 5.1 The level of growth within Cambridgeshire has implications for provision in terms of resourcing schools for children who have special educational needs and disabilities (SEND) who will attend mainstream provision.
- 5.2 For example, in a community requiring a new 3FE ( 630 place) primary school, we would expect there to be, on average, 18 children with identified special educational needs i.e. requiring additional educational support through an Education, Health Care Plan (EHCP). These pupils are likely to require access to ancillary facilities over and above those required by their mainstream peers without SEND e.g. a hygiene room for those with medical needs, withdrawal space for those on the autistic spectrum, and improved access where the school is of multi-height design.

- 5.3 **Proposal:** that provision for these ancillary facilities should be built into the specification for new primary school accommodation.

## 6 Summary

- 6.1 The table below provides a summary of the current position and the proposed policy revisions in response to demographic pressures.

Item	Current position	Proposed policy
Primary school size - new schools	2FE/420 places, with 3FE/630 places on a case by case basis	Establish primary schools of up to 4FE/840 places
Primary school size – expanding existing schools operating on a single site	Preferred maximum size 3FE/630	Maximum size 4FE/840 places
Primary school age range	4-11 years	2-11 years for the first school in a new community/development
Secondary school size	Preferred maximum 11FE/1650 places	Maximum size 12FE/1800 places
Provision of ancillary facilities in new schools for pupils with additional/special educational needs	Where possible, achieved by intelligent use of space within overall gross internal floor area	To be part of the specification for the design of new schools

## 7.0 ALIGNMENT WITH CORPORATE PRIORITIES

### 7.1 Developing the local economy for the benefit of all

- 7.1.1 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.

### 7.2 Helping people live healthy and independent lives

- 7.2.1 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.

### 7.3 Supporting and protecting vulnerable people

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

## 8.0 SIGNIFICANT IMPLICATIONS

## **8.1 Resource Implications**

- 8.1.1 The capital costs associated with a 2FE primary school are currently approximately £8m, and approximately £15m for a 4FE. In addition, where new primary schools are built in two phases with core buildings (hall, kitchen, offices) and classrooms for 2FE in the first phase, in design terms it is more practical to add pairs of classrooms in the 2<sup>nd</sup> phase of the building project.
- 8.1.2 LAs are responsible for all start up and post-opening costs associated with new schools, including diseconomy of scale costs, funding for which may be needed over a number of years. Given this burden of revenue expenditure, the Council will only consider commissioning new schools where there is no possible alternative.
- 8.1.3 Pre-opening funding for secondary schools is currently £150,000 and is calculated on the basis of two terms prior to the date of opening. Post-opening diseconomies funding is provided at the rate of £250 for each new mainstream place created in the secondary 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. For primary schools the sums are £50,000 and (calculated on the basis of 1 term prior to the date of opening) and £125 respectively.
- 8.1.4 Following review of the levels of post-opening diseconomies funding for secondary schools at its meeting on 16 October 2015, Schools Forum agreed to increase the post-opening diseconomies funding rate to £500 for each new mainstream place created and provide an additional £312,000 spread over four years to reflect the number of year groups that do not yet have pupils.

## **8.2 Statutory, Risk and Legal Implications**

- 8.2.1 There are specific statutory requirements which have been followed in seeking a successful sponsor for the new secondary school under the provisions of the Education Act 2011. The process adopted by the Council is compliant with the requirements of the Act.

## **8.3 Equality and Diversity Implications**

- 8.3.1 The Council is committed to ensuring that children with special educational needs and/or disabilities (SEND) are able to attend their local mainstream school where possible, with only those children with the most complex and challenging needs requiring places at specialist provision.

## **8.4 Engagement and Consultation Implications**

- 8.4.1 All new school and school expansion projects initiated by the Council are subject to statutory process which includes public consultation requirements.

The 0-19 Organisation & Place Planning Service always seeks the views of the Schools Intervention Service when considering expansion of an existing school to ascertain whether there are any significant issues in terms of management and leadership capacity which could affect the school's ability to expand successfully.

## **8.5 Localism and Local Member Involvement**

- 8.5.1 Officers routinely engage with Local Members when considering the need for new or extended educational provision. In the case of new schools, the Local Member is always invited to take part in the joint officer /Member sponsor selection process.

## **8.6 Public Health Implications**

- 8.6.1 It is already Council policy that schools:
- should be sited as central as possible to the communities they serve, unless location is dictated by physical constraints and/or the opportunity to reduce land take by providing playing fields within the green belt or green corridors;
  - should be sited so that the maximum journey distance for a young person is less than the statutory walking distances (3 miles for secondary school children, 2 miles for primary school children)
  - should be located close to public transport links and be served by a good network of walking and cycling routes
  - should be provided with Multi-use Games Areas (MUGAs) and all weather pitches (AWPs) to encourage wider community use of school facilities and reduce overall land take from development areas

<b>Source Documents</b>	<b>Location</b>
Gershenson & Langbein study: The Effect of Primary School Size on Academic Achievement	<a href="http://epa.sagepub.com/content/37/1_suppl/135S.full">http://epa.sagepub.com/content/37/1_suppl/135S.full</a>