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Cabinet

14 August 2012

**Name of Cabinet Member:**

Cabinet Member (Education) – Councillor Kershaw

**Director Approving Submission of the report:**

Director of Children, Learning and Young People

**Ward(s) affected:**

All.

**Title: Increasing Primary School Places**

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**Is this a key decision?**

Yes

The proposed expansion of primary schools is a key decision because it will have a marked effect on communities living in two or more electoral wards.

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**Executive Summary:**

The city is experiencing a significant rise in birth rate and inward migration. Although for September 2012 admissions, sufficient places are available for the citywide reception cohort, there are insufficient reception places to meet parental demand in some parts of the city. This report seeks to increase the number of admission places in a City primary school to address this shortfall and outlines proposals to address this issue in future years.

**Recommendations:**

Cabinet is requested to approve the following recommendations:

1. To increase the reception intake of Fredrick Bird School for September 2012, for one year only at this point, from 90 to 120 children; 3 to 4 Forms of Entry (FE);
2. To approve consultation on the City Council's school size policy to increase the maximum size of a primary school from 3 to 4 FE;
3. To note the urgent measures already implemented in relation to additional reception places for September 2012 admissions; and
4. To note that a report will be presented to Cabinet in October 2012 which will recommend formal consultation on the expanding primary school programme for September 2014.

**List of Appendices included:**

None.

**Other useful background papers:**

Children and Young People Scrutiny Board (2) Report 21<sup>st</sup> June 2012 'Primary School Places'

**Has it been or will it be considered by Scrutiny?**

The Chair of Scrutiny Co-ordinating Committee will be in attendance at the meeting.

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

## **Increasing Primary School Places**

### **1. Context (or background)**

- 1.1 The City is experiencing a significant rise in birth rate and inward migration. When the initial allocation for September 2012 admissions to Primary Schools was made in April 2012, there were sufficient places available across the City for the reception cohort, but insufficient reception places to meet parental demand in some parts of the city. In some Wards children are unable to be allocated a reception place in their catchment school or where their sibling attends school.
- 1.2 The latest set of data produced for the Department for Education's (DfE) 2012 School Capacity Collection (SCAP) indicates that considerable pressure on reception places will continue over the next few years. Compared with September 2012, the pressure should ease for 2013 with a predicted surplus of 161 (3.6%) places (excluding additional September 2012 places referred to in paragraphs 2.2 and 2.3 below), but there is an estimated shortfall of 132 (3%) places for September 2014 - a minimum of 210 permanent additional places will therefore be needed to cover this shortfall and leave a 1% level of surplus places across the city (we normally aim to achieve between 4 and 5% above forecast to enable a reasonable degree of parental preference to be exercised).

### **2. Options considered and recommended proposal**

- 2.1 To meet this rising pressure on school places a total of 615 additional reception places across 28 schools have already been created since 2008. These include an additional 120 planned expansion places which will be available at 5 schools from September 2012. A total of 4,380 reception places were therefore planned to be available for September 2012 admissions against a forecast of 4,331 pupils (based on January 2011 data).
- 2.2 Under Section 14 of the 1996 Education Act, the City Council has a statutory responsibility to provide sufficient places for pupils in the city. The position for September 2012 admissions is extremely tight. Officers have therefore been in discussion with a number of primary schools to create some additional 'emergency' reception places for September 2012 because the demand for places was likely to exceed supply in certain parts of the city:
- Broad Heath Primary from 2FE to 3FE (+30 Places)  
Clifford Bridge Primary from 1FE to 2FE (+30 places)  
Ernesford Grange Primary from 2FE to 3FE (+30 Places)  
Moat House Primary from 1.5FE to 2FE (+15 places)
- 2.3 The Cabinet Member (Education) has also approved an increase in the admission number in Reception for Frederick Bird Primary School in September 2012 from 90 to 120 pupils. The justification for this decision is the large number of children who have not been allocated a place and are on the waiting list, either those from the catchment area or having siblings already attending the school.
- 2.4 Legally with such short notice we can only make a temporary change that is for September 2012 only. This has been confirmed by the Office of the Schools Adjudicator. In due course we will be seeking to increase the size of the intake on a permanent basis to four forms of entry from September 2014. This will be subject to a formal consultation process and Cabinet approval. In the meantime the City Council will need to apply to the Office of the Schools Adjudicator to formally vary the admission arrangements for each of the five schools for September 2013. This is because the Published Admission Numbers (PAN's)

for September 2013 have already been determined by the City Council's Cabinet at it's meeting on 13<sup>th</sup> March 2012.

- 2.5 The net effect of these admission changes for September 2012 is that a total of 4,515 reception places are now available; there remain 118 (2.6%) unallocated places (as at 23<sup>rd</sup> July 2012) at 19 schools. It is likely that a large proportion of these will be allocated through the late applications process.
- 2.6 In 2008, the Council set out its "Strategy for Change" which included a Strategy for Growth to accommodate the increase in demand for primary school places. The Strategy for Growth was widely consulted on including, a full public consultation, primary heads, special school heads, children and young people and parents. The strategy sets out the systematic increase of primary schools systematically through analysing schools sites and providing additional permanent accommodation on sites capable of expanding and where demand was strong. At this point, **the City Council's agreed position was that the maximum size of any primary school would not exceed three forms of entry (630 Year R to Year 6 places excluding nursery class).** The demand for primary school places in some parts of the City is such that the most effective way of increasing places would be to increase the size of a small number of schools from 3 to 4 Forms of Entry.
- 2.7 In order to permanently increase the size of Frederick Bird and the other schools identified in paragraph 2.2 it will be necessary to undertake formal consultation prior to the City Council considering whether to publish formal Statutory Notices.
- 2.8 In order to establish schools larger than the current policy of a maximum size of 3 forms of entry it will be necessary to consult with all key stakeholders, including schools, Headteachers, Governing Bodies, Trades Unions and professional associations.

### **3. Results of consultation undertaken**

- 3.1 Consultation has taken place with each of the school's Headteachers and Governing Bodies prior to the Local Authority confirming the allocation of additional places for September 2012 admissions. The City Council has a statutory duty to ensure that there are sufficient school places.

### **4. Timetable for implementing this decision**

- 4.1 Consultations on the proposed increase of the maximum primary school size from 3 to 4FE and on proposals for the permanent expansion of primary schools for September 2014 are planned for the 2012 Autumn Term. Reports will be brought to Cabinet on the outcome of the consultation on the maximum primary school size and on formal proposals to consult on the permanent expansion of primary schools for September 2014.

### **5. Comments from Director of Finance and Legal Services**

- 5.1 Financial implications

The costs associated with consultation will be met from within existing Children, Learning and Young People's Directorate (CLYP) budgets. The additional places created for September 2012 will be delivered through a combination of internal remodelling and temporary classrooms. Officers are working closely with all five schools to ensure that the necessary works are delivered as quickly as possible and where this is after the start of the Autumn Term that appropriate interim arrangements are put in place. The costs of these works are estimated at £485k and will be met from the 2012/13 CLYP Capital Programme.

## 5.2 Legal implications

The City Council has a statutory duty under Section 14 of the 1996 Education Act to provide sufficient school places. The City Council will need to apply to the Office of the Schools Adjudicator to formally vary the admission arrangements for each of the five schools for September 2013. The permanent extension of these and any other schools identified for permanent expansion from September 2014, will require the publication of statutory notices under Section 19(1) of the Education and Inspection Act 2006.

The consultation and determination arrangements will meet the requirements of The Education and Inspection Act 2006 and The School Organisation (Prescribed Alterations to maintained Schools) (England) Regulations 2007 (as amended). Failure to comply with these statutory requirements would leave us unable to expand school places as required and subject to action by DfE.

The public sector equality duty under section 149 of the Equalities Act 2010 imposes on decision makers when carrying out any of its functions to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations across all of the protected characteristics (which as relates to education are disabilities, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation). "Due regard" requires more than just an awareness of the equality duty. It requires demonstration of a rigorous analysis by the public authority decision maker.

## 6. Other implications

### 6.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?

Local Authorities have a statutory duty to ensure sufficient school places are available to meet local needs. The permanent expansion of primary schools would increase the places available for reception pupils and enable the City Council to fulfil its legal obligations.

### 6.2 How is risk being managed?

Provision of sufficient school places is included on the Corporate Risk Register. Officers regularly (weekly) review the position in relation to September 2012 admissions to ensure that there are sufficient places to meet demand.

### 6.3 What is the impact on the organisation?

Schools and officers will form part of the partnering teams together with the design teams and contractors to develop the designs and construction of the schools to be extended for September 2014.

### 6.4 Equalities / EIA

The proposed changes to extend schools and increase admission numbers aims to ensure that all Coventry children have access to education in accordance with their needs. Any revised accommodation changes and admission arrangements take into account the provisions of the Equality Act 2010 in the context of their possible impact on equal opportunities.

## 6.5 Implications for (or impact on) the environment

The DfE currently require all major new building and refurbishment projects valued at over £500,000 to achieve at least a 'very good' BREEAM rating (Building Research Establishment Environmental Assessment Method). Areas of measurement are management, energy use, health and wellbeing, pollution, transport, land use, ecology, materials and water. The future of BREEAM is however currently being considered as part of the James Review.

## 6.6 Implications for partner organisations?

None.

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