
Cabinet

2nd October 2018

Name of Cabinet Member:

Cabinet Member for Education – Councillor K Maton

Director Approving Submission of the report:

Deputy Chief Executive (People) – Gail Quinton

Ward(s) affected:

All

Title: Coventry One Strategic Plan and Education Capital Programme

Is this a key decision?

Yes

Executive Summary:

Under Section 14 of the Education Act 1996, Coventry City Council has a statutory duty to ensure sufficient school places and fair, appropriate access to education. It is the Council's role to plan, commission and organise school places in a way that raises standards, manages supply and demand and creates a diverse infrastructure.

The Coventry One Strategic Plan sets out pupil forecasts for primary and secondary across education planning areas in response to rising or falling pupil cohorts across the city. It outlines the strategy proposed by the Local Authority and the Coventry Secondary Headteacher Partnership to meet the additional places required in secondary provision from 2019 – 2021.

It is proposed that this strategy will be a flexible document, able to adapt to shifting mechanisms of parental preference, unforeseen changes in supply and demand of school places, and future birth rates. To do this, the One Strategic Plan will be monitored and updated annually, alongside a wider process of constant review of School Place Planning. In addition, the procuring of places will take place annually so as to not create an unstable amount of school places.

A Memorandum of Understanding (MOU) has been established to ensure partnership commitment between the Council and secondary schools (and will be rolled out to primary and special, subject to approval). These partnerships signify a commitment and cooperation between the Council, governing bodies and school leadership teams to meet the educational needs of children and young people in Coventry, ensure the sustainability of Coventry schools, and to enable the City Council to meet its statutory obligations.

This partnership commitment signifies a statement of intent to collaborate and work in partnership to achieve the best possible outcomes for children and young people in Coventry, ensure the sustainability of Coventry schools, and to enable the City Council to meet its statutory obligations. As part of this process, numerous options have been discussed at both full partnership meetings, and the Secondary Headteacher Executive. The preferred option presented below has been approved by the partnership as being the best valid option keeping in line with our statutory requirement as outlined by the DfE to:

- i. Spend capital funding efficiently
- ii. Safeguard the quality of places in the system
- iii. Manage down spare capacity in the estate where it exists.

Capital allocations to meet projected shortfalls in provision are provided by the Education Skills Funding Agency (ESFA) to all Local Authorities based on the data provided in the annual School Capacity return (SCAP). Demand for places minus the supply of places is multiplied by a cost per pupil place to inform the final allocation. This return informs the ESFA of the expected change in pupil numbers over the next few years, the current capacity of schools to meet those numbers and the planned changes to that capacity.

Recommendations:

Cabinet is requested to approve in principal the following:

- 1) To approve the draft of the Coventry One Strategic Plan
- 2) Agree proposal for officers to carry out the necessary consultations as required
 - i. Consultation on Coventry One Strategic Plan
 - ii. Consultation on Special Provision Fund (Already Commenced)
 - iii. Individual School Consultations related to Permanent Expansion
 - iv. Enhanced Resource Provision Consultation on creation of Resource Units within Mainstream Schools
 - v. Individual Consultations relating to the reduction of Primary Published Admissions Numbers
- 3) Note the funding requirement of the plans proposed set out in this report. These have and will be approved through normal budget setting process.

List of Appendices included:

Appendix 1: One strategic Plan 2018-2023

Appendix 2: Letter from Lord Agnew regarding Basic Need funding (Dated: 30/05/2018)

Appendix 3: School Organisation Regulations (current link in main doc)

Appendix 4: Secondary options considered

Background papers:

None

Has it been or will it be considered by Scrutiny?

It will be considered by Scrutiny Board in due course.

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

The matter has been to Labour Group – 3rd September 2018 and Opposition Group – 24th September 2018

Will this report go to Council?

No

1.1 Context (or background)

- 1.1 Under Section 14 of the Education Act 1996, Coventry City Council has a statutory duty to ensure sufficient school places and fair, appropriate access to education. It is the Council's role to plan, commission and organise school places in a way that raises standards, manages supply and demand and creates a diverse infrastructure.
- 1.2 The Coventry One Strategic Plan sets out pupil forecasts for primary and secondary across education planning areas in response to rising or falling pupil cohorts across the city. It outlines the strategy proposed by the Local Authority and the Coventry Secondary Headteacher Partnership to meet the additional places required in secondary provision from 2019 – 2021.
- 1.3 The partnership commitment signifies a statement of intent to collaborate and work in partnership to achieve the best possible outcomes for children and young people in Coventry, ensure the sustainability of Coventry schools, and to enable the City Council to meet its statutory obligations. As part of this process, numerous options have been discussed at both full partnership meetings, and the Secondary Headteacher Executive. The preferred option presented below has been approved by the partnership as being the best valid option keeping in line with our statutory requirement to spend capital funding efficiently, safeguard the quality of places in the system; and manage down spare capacity in the estate where it exists.

1.4 Mainstream

1.5 Primary

- 1.6 The birth cohort is reducing to more regular levels, easing the previous pressure on primary places, although there are still localised areas of pressure within distinct planning areas of the city. There is a shifting movement of births within Coventry from the North East of the city, which has a falling birth rate, towards the West of the City where births are starting to stabilise and in some areas continuing to increase.¹
- 1.7 The birth cohort peaked for entry into Reception in September 2016 and, with the existing housing stock considered, has begun to re-stabilise and in some areas of the city started to decrease. Although future developments within the local plan may lead to a future rise in birth rates in the specified locations.
- 1.8 To utilise the existing school estate efficiently and enable schools to manage budgets more effectively; exploration of expanding the use of enhanced resourced provision (ERP) is underway, which could lead to a range of ERP bases across the primary and secondary phase that reflects current priority areas of need including Autistic Spectrum Condition ASC and Social and Emotional Mental Health SEMH.
- 1.9 The current Year 3 (2018-19 Academic Year) is the largest cohort currently in Coventry Primary schools, September 2022 entry to Secondary, and will severely impact upon the availability of Year 7 places within the city.²

1.10 Secondary

- 1.11 Overall numbers in secondary schools will grow from September 2018 onwards as larger cohorts transfer from primary schools, the cohort leaving secondary school in that year is 3400 and the cohort entering being forecast as being 3999 pupils. This will also impact

¹ Appendix 1 - sufficiency strategy graph page 22.

² Appendix 1 - sufficiency strategy graph page 39.

upon the availability of In-Year placing as these cohorts start to reach the upper cohorts of secondary education. The previous recommendations for surplus availability was between 4-8% during this period Coventry will be working at 2% surplus capacity.

1.12 From September 2019, additional capacity will be required in Secondary schools to mitigate these larger cohorts. It is proposed to adopt a model of both permanent and temporary expansions to ensure sufficiency of places, viability for schools, and cost - efficiency. Temporary expansions are for a single year of Year 7 increase, and that increase then moves through the school as that cohort reaches Year 11. Adopting a mixed economy model of permanent and temporary expansions will ensure the safeguarding of the future viability of the school estate, and longer term will allow for a more flexible approach to increasing and reducing capacity.

1.13 Special Education Needs (SEN)

1.13.1 Local Authorities have a statutory duty to ensure, that all learners who are subject to an Education, Health and Care Plan receive the provision they require to meet their assessed needs. This means that LAs have to provide a continuum of provision to meet a continuum of need. Whilst Coventry currently has relatively few specialist provisions delivered in the form of resourced centres/units in mainstream schools, it does have a good range of special school provision. Consequently very few Coventry children have to attend schools outside of the City.

1.13.2 However, the recent evidenced growth in need, specifically in the areas of complex communication (autism spectrum conditions) and social emotional and mental health (behaviour), has placed a level of demand on the special school system that exceeds supply. Whilst the recent expansion and relocation of Tiverton Special School has created much needed capacity in the primary sector, for children with generic learning difficulties; there is no physical capacity in the system to support:

- SEMH growth across all age ranges (estimated at an additional 40 placements by 2024)
- Increased demand for secondary/post 16 special school placement for generic learning difficulties, as primary age pupils move through the system
- ASC growth across all age ranges (estimated at an additional 50 placements by 2024)

1.13.3 As a priority, a proposal is in development to expand the number of SEMH places in both primary and secondary to meet the increasing demand and options are under consideration for securing a sufficiency of secondary age provision for Generic Learning Difficulties

2 Options considered and recommended proposal

2.1 Primary recommended proposal

2.1.1 It is a key policy of Education where expansions and funds allow, to address the following areas

- Local places for local children
- Removal of half forms of entry by increasing or decreasing (where appropriate) schools Published Admission Number (PAN)
- Increase 1 form of entry (FE) to 2 forms of entry (FE)
- Explore incorporating SEND facilities within mainstream schools
- Address safeguarding issues relating to buildings and grounds
- Address buildings defects and Equality Act noncompliance

Following these proposals this will enable a spirit of co-operation between the Council, governing bodies and school leadership teams that will help all parties to achieve a fair and open way forward to meet the education needs of local families and their children, ensuring school viability and sufficient school places.

- 2.1.2 With the increasing primary surplus, the Council still has a statutory duty to provide sufficient school places. To aid in a more measured and transparent manner for parents, it is proposed to examine PAN reductions in a coordinated cycle. This will ensure that not all surplus places are removed in the same academic year, and that information about the reduction in places is made apparent in admissions booklets.
- 2.1.3 With this reduction there is a firm desire to continue to utilise existing buildings, and not allow them to decay in condition. Therefore, an ideal approach to the reduction in PAN will simultaneously exist with an increase in other forms of provision. This could include Early Years wraparound care, before and after school clubs, or Enhanced Resource Provisions (ERP) for pupils with Education Health Care (EHC) plans. The type of additional provision which can be offered, will be dependent upon the layout of the building, the wishes of the School leadership, and the suitability and range of existing provision in the area.
- 2.1.4 With the increases in SEND numbers outlined in the sufficiency strategy, an increase in the range of SEN provision would be of benefit to the city. The further development and review of ERPs, which could lead to a range of ERP bases across the primary phase that reflects the current priority areas of need including Autistic Spectrum Condition and Social Emotional, and Mental Health.

2.2 Secondary options³ and recommended proposal (see below)

- 2.3 On the 30th May 2018, all Local Authorities received a letter from Lord Agnew, the Parliamentary Under-Secretary of State for the School System, stating that the Education Skills Funding Agency (ESFA) 'expect that, in doing so, Local Authorities will make every effort to spend capital funding efficiently, safeguard the quality of places in the system; and manage down spare capacity in the estate where it exists.' One of the key points of the letter was Local Authorities are

'expected to create new places in schools or academies that have an overall Ofsted rating of 'good' or 'outstanding,' and to consider a range of performance indicators and financial data before deciding which school to expand. It is not expected that you expand a school or academy that is underperforming, unless there is a very strong rationale to do so.'

This criteria has underpinned the following recommended proposals.

- 2.4 **Recommended option - In September 2019**, an additional 8 forms of entry (240 year 7 places) are planned using a mixture of temporary and permanent expansions within existing Coventry schools, in the areas deficit places. The temporary planned increases are outlined below:

Sidney Stringer Academy temporary increase in PAN from 210 to 240 for September 2019 only.
Foxford School and Community Arts College temporary increase in PAN from 180 to 185 for September 2019 only.
Lyng Hall School temporary increase in PAN from 150 to 180 for September 2019 only.

³ See Appendix 4

Caludon Castle – A Business and Enterprise School, and Leadership Specialist increasing PAN from 240 to 270 for September 2019 only.
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The permanent planned increases are outlined below.

Coundon Court School increasing PAN from 285 to 315 and temporarily increasing PAN to 345 for September 2019 only. PAN will reduce to 315 from September 2020.
President Kennedy School increasing PAN from 270 to 300 from September 2019.
Cardinal Newman Catholic School increasing PAN from 220 to 250 from September 2019.
Whitley Academy increasing PAN from 150 to 180 from September 2019.
Blue Coat Church of England School & Music College increasing PAN from 255 to 265 from September 2019.

- 2.5 **Recommended option - In September 2020**, an additional 1.5 forms of entry (40 year 7 places) are planned as temporary increases in existing Coventry schools. The temporary planned increases outlined below:

President Kennedy School temporarily increasing PAN from 300 to 330 for September 2020 only.
Caludon Castle – A Business and Enterprise School, and Leadership Specialist increasing PAN from 240 to 270 for September 2019 only. (to be confirmed with PFI)
Whitley Academy temporarily increasing PAN from 180 to 190 for September 2020 only.

- 2.6 **Recommended option - In September 2021**, an additional 6 forms of entry (180 year 7 places) are planned using a mixture of temporary and permanent expansions within existing Coventry schools. The temporary planned increases are outlined below:

Caludon Castle – A Business and Enterprise School, and Leadership Specialist increasing PAN from 240 to 270 for September 2019 only. (to be confirmed with PFI)
The Westwood Academy temporary increase in PAN from 157 to 187 for September 2021 only.
1 additional form of entry may be required at this point, will be monitored bi-annually for confirmation.

The planned permanent increases outlined below:

Finham Park School increasing PAN from 240 to 270 from September 2021.
Coundon Court School increasing PAN from 315 to 345 from September 2021.
Futures Trust increasing one secondary school PAN by an additional 30.
Sidney Stringer Trust increasing one secondary school PAN by an additional 30.

2.7 **Special Education Needs Proposal**

- 2.8 Coventry City Council have been allocated funding to create new school places and improve existing facilities for children and young people with SEN and disabilities. The consultation for this Special Provision Fund is currently available on the Coventry [Local Offer](#) page, this consultation will determine the sites of the additional allocation. It is proposed to split the funding across Broad Spectrum Special Schools, and Mainstream Education. By:

- Increasing places at a Coventry based special school for pupils with Social, Emotional and Mental Health needs (SEMH)

- Increasing places at a Coventry based special school for pupils with a broad spectrum of needs
- Creating Enhanced Resourced Provisions (ERP) at 3 mainstream primary schools specifically focusing on pupils with Autism Spectrum Condition (ASC) and SEMH.
- Creating an ERP on a mainstream secondary school site

2.9 The sites and timescales of these proposals will be dependent upon the results of the consultation exercise. However, the overall financial scope of the proposals will be equivalent to that outlined below in section 3.3 in the Special Provision Capital Programme Grant.

3. Timetable

The timescale is set out in the following table:

Activity	Approximate Timing
Consultation with Primary, Secondary and SEND Headteachers via Partnership meetings	February – June 2018
Secondary Partnership agreed proposals for secondary expansion	July 2018
Meetings with secondary schools that are expanding to gain a better understanding of provision required	September 2018
Report to Cabinet for approval in principle of draft One Strategic Plan and recommendations	2 nd October 2018
Report to Cabinet for consideration and approval following consultation on One Strategic Plan and Education Capital Programme	January 2019 – February 2019
Additional secondary school places required	September 2019

3.1 The timeline for increasing pupil places permanently is set out in the [School Organisation](#) regulations, a summary of this procedure has been set out below.

Stage	Description	Timescale	Comments
Stage 1	Publication (statutory proposal / notice)	This is the first publication of proposal; cabinet paper / notice to schools / press etc	
Stage 2	Representation (formal consultation begins)	Must be at least 4 weeks	As prescribed in the 'Prescribed Alteration' regulations.
Stage 3	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator.	Any appeal to the adjudicator must be made within 4 weeks of the decision.
Stage 4	Implementation	No prescribed timescale	However it must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

3.2 Academy schools have no requirement to consult for an increase in Published Admission Number. However schools which are proposed for expansion may wish to consult. This consultation takes places c.2 years in advance, consultations for September 2020 admissions take place between October 2018 and February 2019.

School/Trust	
Caludon Castle	<ul style="list-style-type: none"> • Permanent increase in PAN to 270 from September 2019. • Temporary increase in PAN to 280 for September 2021 only.
Cardinal Newman	<ul style="list-style-type: none"> • Permanent increase in PAN to 250 from September 2019.
Coundon Court	<ul style="list-style-type: none"> • Permanent increase in PAN to 315 from September 2019. • Temporarily increasing PAN to 345 for September 2019 only. PAN will reduce to 315 from September 2020. • Permanent increase in PAN to 345 from September 2021.
Finham Park	<ul style="list-style-type: none"> • Permanent increase in PAN to 270 from September 2021.
Foxford	<ul style="list-style-type: none"> • Temporary increase in PAN to 185 for September 2019 only.
Futures Trust	<ul style="list-style-type: none"> • Permanently increasing one secondary school PAN by an additional 30 from September 2021.
Lyng Hall	<ul style="list-style-type: none"> • Temporary increase in PAN to 180 for September 2019 only.
President Kennedy	<ul style="list-style-type: none"> • Permanent increase in PAN to 300 from September 2019. • Temporary increase in PAN to 330 for September 2020 only.
Sidney Stringer	<ul style="list-style-type: none"> • Temporary increase in PAN to 240 for September 2019 only.
Sidney Stringer Trust	<ul style="list-style-type: none"> • Permanently increasing one secondary school PAN by an additional 30 from September 2021.
Westwood	<ul style="list-style-type: none"> • Temporary increase in PAN to 187 for September 2021 only.
Whitley	<ul style="list-style-type: none"> • Permanent increase in PAN to 180 from September 2019. • Temporary increase in PAN to 190 for September 2020 only.

4 Financial implications

- 4.1 Basic need funding is allocated to Local Authorities to meet the demand for pupil places. Allocations have been made up until 2020/21. Future funding for the 21/22 financial year will be announced May/June 2019.

Secured Funding	£13,841,225.00
19/20 Allocation	£5,000,000.00
20/21 Allocation	£7,277,000.00
Total Funding	£26,118,225.00

In March 2017, the Government committed £215 million of capital funding to help local authorities create new school places and improve existing facilities for children and young people with SEN and disabilities, in consultation with parents and providers. Coventry City Council secured £775,574 for three years (total £2,326,574). The consultation for this Special Provision Fund is currently available on the Coventry [Local Offer](#) page, this consultation will determine the sites of the additional allocation. The Council has liaised closely with all special and mainstream schools via partnership meetings in order to inform a strategic plan.

4.2 Capital spend proposals outlined below:

Detail	Resources	Expenditure
Education Capital Basic Need up until 2021 (current and future)	£26,118,225	
Education Capital Special Provision Fund (current and future)	£1,326,574	
Total	£27,444,799	
Education Capital Programme – expanding secondary provision		–£26,000,000 (estimate)
Special Provision Capital Programme Grant (via Capital Special Provision Fund)		–£1,144,799
Total		£27,144,799
Contingency		£300,000

4.3 The estimated breakdown cost of the Education Capital Programme between temporary and permanent expansions. Is as follows:

Total cost of secondary temporary expansion 2019 - 2022	£1,000,000.00
Total cost of secondary permanent expansion 2019 - 2022	£25,000,000.00
Total cost overall	£26,000,000.00

It must be stressed that costs are purely indicative based on known issues at each site.

All financial implications are covered in section 3 and 7.2.

5 Legal implications

5.1 Section 13 of the Education Act 1996 places the Local Authority under a duty to promote high standards and fair access to education. S14 of the Education Act 1996 sets out the Local Authority's duty to secure sufficient schools in their area, and to consider the need to secure provision for children with SEN. This includes a duty to respond to parents' representations about school provision.

5.2 The Local Authority has a wide discretion in exercising the s 14 duty but has to follow statutory processes when establishing, closing, or making alterations to a school as set out in the Education and Inspections Act 2006 and School Organisation (Prescribed Alterations to Maintained Schools (England) Regulations 2013. Failure to comply with statutory requirements would leave the Local Authority unable to make the proposed changes and subject to action by the DfE. Reduction to the published admission numbers(PAN) at maintained mainstream schools are not subject to compliance with the School Organisation (Prescribed Alterations to Maintained Schools (England) Regulations 2013, although admission authorities (the Local Authority) in the case of community and voluntary controlled schools, the governing body in the case of voluntary aided and foundations schools, and the academy trust in the case of academy schools, must consult as required by School Admissions Code 2014 (SAC).

5.3 The SAC provides that when changes are proposed to admission arrangements, all admission authorities must consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following

school year. Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period. Community and Voluntary Controlled schools have the right to object to the Schools' Adjudicator if the PAN proposed is lower than they would wish.

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)?

These proposals will support and synergise with the Councils Policies as set out below:

- Making the most of our Assets – utilising existing estate to maximum potential and ensuring value for money.
- Improving Educational Outcomes – by providing additional school places in Good or Outstanding Schools.
- Raising the Profile of Coventry - by providing additional school places in Good or Outstanding schools.
- Creating the Infrastructure – Aiding in Schools to be self-sufficient.
- Rationalising our property portfolio – Enabling schools to reach their potential.

7 How is risk being managed?

7.1 Monitoring is carried out through a number of different processes. This project will be monitored through a project management team and will be subject to careful scrutiny and regular assessment on progress towards identified milestones. Further monitoring will be carried out through progress reports to the Cabinet Member (Education and Skills), Cabinet, and quarterly budgetary control monitoring.

7.2 Of the £26,118,225 identified in the Education Capital Basic Need, only £13,841,225 has been secured. The further resources of £5,000,000 and £7,277,000 whilst being allocated has not as yet been secured. However, the Council are not anticipating any reduction in its Basic Need Allocations. The £1,326,574 million allocated for potential additional Enhanced Resource Provisions within schools, this is currently subject to consultation. If this is not secured following consultation outcomes the ERPs will be reviewed.

Funding Already Secured	£13,841,225.00
2019/2020 Basic Need Allocation	£5,000,000.00
2020/2021 Basic Need Allocation	£7,277,000.00
Total Funding	£26,118,225.00

8 Equalities / EIA

8.1 Children and young people with SEN often experience greater discrimination and have fewer opportunities than children without such difficulties. The proposal 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.

8.2 Public authority decision makers are under a duty to have due regard to 1) the need to eliminate discrimination, 2) advance equality of opportunity between people who share a

protected characteristic and those who do not 3) foster good relations between persons who share a relevant protected characteristic and people who do not (public sector equality duty - s 149(1) Equality Act 2010). The applicable protected characteristics are disability, gender reassignment; race, religion or belief, sex; sexual orientation, pregnancy or maternity.

8.3 Decision makers must be consciously thinking about these three aims as part of their decision making process with rigour and with an open mind. The duty is to have “due regard”, not to achieve a result but to have due regard to the need to achieve these goals. Consideration being given to the potential adverse impacts and the measures needed to minimise any discriminatory effects.

8.4 Each school has been assessed thoroughly in line with the Disability Discrimination Act 2004' and meet the requirements of the Building Regulations and relevant British Standards including BS 8300 2009. Specific provisions of inclusion for wheelchair users; hard of hearing and visually impaired have been included in the designs. An access statement is provided for each school to act as an on-going live document. It documents the initial building approach and becomes an effective building management tool for the users to ensuring long term accessibility.

9 Implications for (or impact on) the environment

9.1 Coventry's schools currently account for 28% of the City's carbon footprint and this scheme will support the reduction of that level through replacing old school buildings with modern, energy efficient facilities. The Carbon Reduction Commitment (CRC) Energy Efficiency Scheme as amended is a mandatory carbon emissions tax covering non-energy intensive users in both public and private sectors, and is a central part of the UK's strategy to deliver the emission reduction targets set in the Climate Change Act 2008. Emissions from schools (including PFI Schools) are to be included in the total reported carbon emissions for their participating Local Authority. The new school building would also be designed to mitigate the effects of climate change fluctuations and to help reduce surface water run off as a result of flash or extreme weather events, reducing any negative effects on the local community and environmental infrastructure.

10 Implications for partner organisations?

10.1 Planning for additional SEN places will require close partnership with the PCT, Clinical Commissioning Groups, Coventry and Warwickshire Partnership Trust, Social Care and Private/Voluntary Organisations and will enable multi-agency support and provision for children with SEN to be made.

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