
Cabinet

18th February 2020

Name of Cabinet Member:

Cabinet Member for Education and Skills – Councillor K Maton

Director Approving Submission of the report:

Deputy Chief Executive (People)

Ward(s) affected:

All

Title: Coventry One Strategic Plan and Education Capital Programme

Is this a key decision?

Yes - the proposals will affect all wards of the City

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, first presented to Council on 2nd October 2018, sets out pupil forecasts for special, primary and secondary pupils 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 – 2024. Work has also been undertaken to look at the Special School provision, primary estate in line with falling birth rates and how we will mitigate against these factors.

It is proposed that this strategy will be a flexible 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 with presentation to the Education Portfolio Councillor, and Cabinet, 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 number 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. There is currently a delay in the allocation to all councils for the capital allocations 21/22 likely to be announced later this year, within this report we therefore focus upon need up to 2022.

Recommendations:

The Cabinet is requested:

1. To authorise the programme of work outlined within the proposed Coventry One Strategic Plan for Primary, Secondary Education and Special Educational Needs (SEN), subject to the funding being secured.
2. To delegate authority to the Deputy Chief Executive (People) to agree the most appropriate procurement route for the works to be delivered and awarded.

List of Appendices included:

Appendix 1: One Strategic Plan 2019-2025
Appendix 2: Letter from Lord Agnew regarding Basic Need funding (Dated: 30/05/2018)
Appendix 3: Letter from Lord Agnew regarding Basic Need funding (Dated: 23/09/2019)
Appendix 4 A and B: School Organisation Regulations
Appendix 5: Alternative Options for Secondary Expansion

Background papers:

Coventry One Strategic Plan and Education Capital Programme
Cabinet Report – 2nd October 2018

<http://democraticservices.coventry.gov.uk/ieListDocuments.aspx?CId=124&MId=11774&Ver=4>

Has it been or will it be considered by Scrutiny?

No

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

Title: Coventry One Strategic Plan and Education Capital Programme

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 – 2024. Special Heads and Primary Partners across the City have also been involved in looking strategically at the need for additional special provision and falling numbers being seen at mainstream primary level.

1.3. Primary

1.3.1. The birth cohort is reducing, 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

1.3.2. 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.

1.3.3. 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 being considered, which could lead to a range of ERP bases within the city to reflect the current priority areas of need including Autistic Spectrum Condition (ASC) and Social and Emotional Mental Health (SEMH).²

1.3.4. 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.³

1.4. Secondary

1.4.1. 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 is 3999 pupils. This will also impact upon the availability of In-Year placing as these cohorts start to reach the upper cohorts of secondary education.

1.4.2. From September 2019, additional capacity has been added 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

¹ Appendix 1 – One Strategic plan - page 22.

² Enhanced Resource Provision is a model adopted by the majority of local authorities of providing small classbases (8-10 pupils) with an EHCP specialised teaching within a mainstream school.

³ Appendix 1 - One Strategic plan - page 39.

viability of the school estate, and longer term will allow for a more flexible approach to increasing and reducing capacity.

- 1.4.3. Phase One covering the years (2019-2021) was presented to Cabinet in October 2018 and outlines the planned temporary and permanent increases up to 2021, this has been updated to recognise site constraints and affordability.
- 1.4.4. To address the further forecast shortfall of places between 2022 and 2024, there has been a commitment between the Local Authority and the Coventry Secondary Headteachers that Phase Two expansions will be delivered internally within the existing school estate to provide the additional places. It is anticipated the capital allocation will mirror that given to the council last year which will be announced later this year. If this is not realised there is capacity to change the phase 2 options.

1.5. **Special Education Needs (SEN)**

- 1.5.1. 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, a small percentage of Coventry children have to attend schools outside of the City; we are continuing to assess these numbers.
- 1.5.2. However, the recent evidenced growth in need, specifically in the areas of complex communication (autism spectrum conditions) and social emotional and mental health (SEMH), 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, however there is no physical capacity in the system to support children with the following needs, however there is currently work being undertaken to address the Special Estate:
 - 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)

2. **Options considered and recommended proposal**

2.1. **Primary Schools options and recommended proposal**

- 2.1.1. With a declining birth rate and therefore a corresponding increasing primary school 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. This proposed option will have the minimum impact upon parental preference whilst also ensuring that the majority of schools are able to maintain balanced budgets.
- 2.1.2. Education are working towards a sustainable level of surplus places in the city. There are local fluctuations in birth rates and migration rates which create challenges. It is our intention to ensure sufficient places whilst avoiding oversupply and without exceeding 5% surplus places within a planning area.
- 2.1.3. In certain areas of Coventry, DfE guidance would suggest that schools look at potentially temporarily decommissioning places to adjust supply to meet the future reductions in demand. Coventry Local Authority will look to facilitate those connections between head

teachers, governing bodies and school finance to examine where parties are in agreement over potential temporary reduction of PAN.

- 2.1.4. Headteachers have been encouraged to contact the Local Authority to discuss the Published Admission Number (PAN) of the school if they are concerned about the number of surplus places the school is likely to hold.
- 2.1.5. 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.
- 2.1.6. 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.

2.1.7. **Primary School Alternative Options**

- 2.1.8. If there were to be no decrease in a flexible approach to school planning with school's decommissioning places for the planning horizon will lead to unsustainable levels of surplus in Coventry primary schools. This level of surplus may result in schools being financially unsustainable due to increased pressure on budgets.

2.2. **Secondary School options⁴ and recommended proposal**

- 2.2.1. 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.'

- 2.2.2. This criteria has underpinned the following recommended proposals.
- 2.2.3. **Recommended option - In September 2019**, an additional 8 forms of entry (240 year 7 places) are planned to use a mixture of temporary and permanent expansions within existing Coventry schools, in the area's deficit places.
- 2.2.4. The temporary planned increases are outlined below:

Caludon Castle increasing PAN from 240 to 270 for September 2019 only.
Foxford increasing PAN from 180 to 185 for September 2019 only.
Lyng Hall increasing PAN from 150 to 180 for September 2019 only.
Sidney Stringer increasing PAN from 210 to 240 for September 2019 only.

⁴ Other Options considered – as Appendix 5.

2.2.5. The permanent increases are outlined below:

Cardinal Newman increasing PAN from 220 to 250 from September 2019.
Coundon Court increasing PAN from 285 to 345 from September 2019.
President Kennedy increasing PAN from 270 to 300 from September 2019.
Whitley increasing PAN from 160 to 180 from September 2019.

2.2.6. In **September 2020**, an additional 2 forms of entry (60 year 7 places) are planned to use a mixture of temporary and permanent expansions within existing Coventry schools.

2.2.7. The temporary planned increases are outlined below:

President Kennedy increasing PAN from 300 to 330 for September 2020 only.

2.2.8. The permanent planned increases are outlined below:

Barr's Hill increasing PAN from 131 to 161 from September 2020.

2.2.9. In **September 2021**, an additional 6.5 forms of entry (199 year 7 places) are planned to use a mixture of temporary and permanent expansions within existing Coventry schools.

2.2.10. The temporary planned increases are outlined below:

West Coventry increasing PAN from 237 to 297 for September 2021 only.
Westwood increasing PAN from 157 to 217 for September 2021 only.

2.2.11. The planned permanent increases are outlined below:

Barr's Hill increasing PAN from 161 to 180 from September 2021.
Ernesford Grange increasing PAN from 180 to 210 from September 2021.
Finham Park increasing PAN from 240 to 270 from September 2021.

2.2.12. Alternative options (Appendix 5) to this have been discussed in collaboration with the Secondary partnership, however these options have been discarded as they do not fulfil the criteria of providing good value for money, are not central to the areas of pressure, or cannot be completed to the correct scope due to site constraints.

2.3. **Special Education Needs Proposal**

2.3.1. 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 Special Provision Fund is currently available on the Coventry [Local Offer](#) page. This was a requirement of the funding being allocated as local authorities had to complete and publish a concise plan to show how they would invest their share of the fund on their local offer page.

2.3.2. It is proposed to share the funding across Broad Spectrum Special Schools, and specialist within mainstream Education. The Council have received £3.2million in Special Provision Fund, with a further £700,000 allocated to the Council but not yet received. It is proposed to allocate this £3.9 million funding towards a combination of increases at Secondary special schools and extending the offer of special provision across mainstream settings.

2.3.3. By looking at further Secondary expansion, given the areas of demand and primary need of the pupils, there appears to be up to 4 potential options or a combination of all 4 options for the allocation of this funding, in conjunction with other sources of funding.

- Demolition of the Old Tiverton school building will enable use of the land to accommodate two, double modular build provisions. One used for a purpose-built provision for pupils with higher needs and require their own space separate to the main school building. The second modular build with internal reorganisation within the school, will allow for an additional 24 pupils to be taken on role in September 2020.
- Expansion of Riverbank school – the school has not recently been expanded and so there may be potential for a modular build similar to Baginton on the school site.
- Expansion of resource bases in Mainstream Secondary to better facilitate pupils currently in a mainstream primary, who may be accommodated within mainstream Secondary by putting in Enhanced Resource Provisions (ERPs).
- Further expansion at Sherbourne fields school, Baginton, or the Corley Centre.

2.4. **Finance**

2.4.1. 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 2020.⁵ These are indicative allocations, and the timescales for receiving the funds are likely to change.

Secured Funding	£14,665,000
19/20 Allocation	£3,913,000
20/21 Allocation	£6,237,000
Total Funding	£24,815,000

2.4.2. 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, with a further top-up of £1,500,000 (total £3,950,018). 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.

2.4.3. Capital spend proposals outlined below:

Detail	Resources	Expenditure
Education Capital Basic Need up until 2021 (current and future)	£24,815,000	
Current S106 for Education held by Council	£5,871,079	
Education Capital Special Provision Fund (current and future)	£3,950,018	
Total	£34,636,097⁶	
Education Capital Programme – expanding secondary provision from basic need funds		–£30,600,000 (estimate)
Special Provision Capital Programme Grant (via Capital Special Provision Fund)		–£3,950,018

⁵ This allocation is likely to fund the majority of the phase 2 of Secondary expansions required at Secondary schools.

⁶ Please note potential future S106 income has been removed from the income table, as to comply with CIL compliance S106 can be only be spent at the specified school/project. Therefore, this funding will be dependant upon schools being named as part of the Programme for providing additional school places. However, it is likely that further S106 funding will be utilised in areas where expansion of schools is related to new housing developments.

Total		-£34,550,018
Contingency		£86,079

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

Total cost of secondary temporary expansion 2019 - 2021	£1,500,000.00
Total cost of secondary permanent expansion 2019 - 2021	£29,100,000.00
Total cost overall	£30,600,000.00

3. Results of consultation undertaken

3.1.1. As academies, the schools included in the Secondary recommended option are required to consult for their expansion and inform the Department of Education of this consultation. The Council have consulted with Primary, Secondary, and SEN headteachers via Partnership meetings to co-produce this One Strategic Plan. For Primary, and SEN, depending upon whether the school is maintained or academy, the responsibility for conducting the consultation will either sit with Coventry or with the school.

4. Timetable for implementing this decision

The timescale for the One Strategic Plan is set out in the following table:

Activity	Approximate Timing
Consultation with Primary, Secondary and SEND Headteachers via Partnership meetings	June 2018 – November 2019
Secondary Partnership agreed proposals for secondary expansion, covering both phase 1 and phase 2.	September 2019 – March 2020
Report to Cabinet for adoption of the policy set out in the One Strategic Plan and recommendations	February 2020

5. Comments from the Director of Finance and Corporate Services

5.1. Financial implications

All financial implications are covered in sections 2.4 and 6.2 of the report.

5.2. Legal implications

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.

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).

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 the Council Plan (www.coventry.gov.uk/councilplan/)

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.

6.2. How is risk being managed?

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.

Of the £26,118,225 identified in the Education Capital Basic Need, only £14,665,000 has been secured. The further resources of £3,913,000 and £6,237,000 whilst being allocated has not as yet been secured. However, the Council are not anticipating any reduction in its Basic Need Allocations.

Secured Funding	£14,665,000
19/20 Allocation	£3,913,000
20/21 Allocation	£6,237,000
Total Funding	£24,815,000

6.3. What is the impact on the organisation?

There are no specific impacts on the organisation.

6.4. Equalities and Consultation Analysis (ECA)

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.

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.

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.

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.

6.5. Implications for (or impact on) climate change and the environment

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.

6.6. Implications for partner organisations?

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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