
Cabinet

13th February 2024

Name of Cabinet Member:

Cabinet Member for Education and Skills – Councillor Dr K Sandhu

Director Approving Submission of the report:

Chief Partnerships Officer

Ward(s) affected:

All

Title: Coventry One Strategic Plan and Education Capital Programme 2023 - 2027

Is this a key decision?

Yes - the proposals will significantly affect all wards.

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.

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 Education Partnership to meet the additional places required in secondary provision from 2023-2027. Work has also been undertaken to look at the Special School provision and the primary estate in line with falling birth rates and new housing, outlining how we will mitigate against these factors.

It is proposed that this strategy will be a flexible plan, 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 not to create an unstable number of school places.

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 Coventry Education Partnership meetings, and the Secondary Headteacher Executive. The preferred option presented below has been approved by the Coventry Education 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.

Since 2022 there has been a large increase in the number of pupils moving into the city each academic year. The impact of this in-year movement has been that more spaces are required in schools than forecast, using up spare capacity and causing sufficiency pressures in some year groups. In response, a review and update of pupil forecast methodology has taken place, and additional school expansions as set out within this report.

Recommendations:

Cabinet is requested to:

- 1) Authorise the programme of work outlined within the proposed Coventry One Strategic Plan for Primary, Secondary and Special Educational Needs (SEN) Education.
- 2) Delegate authority to the Chief Partnerships Officer to agree the most appropriate procurement route for the works to be delivered and awarded.
- 3) Subject to acting within existing budgets, authorise the acquisition of such land by way of agreement as is required to facilitate sufficiency of school places within Coventry.
- 4) Delegate authority to the Director of Property Services and Development and Chief Partnerships Officer, following consultation with the Chief Operating Officer and Chief Legal Officer, to undertake all necessary due diligence including acceptance of terms for such Acquisition and the entering into appropriate legal agreements.
- 5) Authorise the funding stream as set out in section 2.4 of the report to be utilised for the delivery of programme of works in relation to primary, secondary and SEND places within the Coventry One Strategic Plan.
- 6) Note the increased fees for academy conversion recoupment charges as set out in section 4 of the report.

List of Appendices included:

Appendix 1: One Strategic Plan 2023-2027

Background papers:

None

Other useful documents

Cabinet report – academy charges 2016

Coventry One Strategic Plan and Education Capital Programme
Cabinet Report – 18th February 2020

<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?Cid=124&Mid=11948#AI30130>

Coventry One Strategic Plan – Phase 2 Secondary School Expansions
Cabinet Report – 13th October 2020

<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?Cid=124&Mid=12245&Ver=4>

Woodlands Cabinet Report – 12th October 2021

<https://edemocracy.coventry.gov.uk/documents/s51379/SEND%20Proposal%20for%20the%20Use%20of%20the%20Woodlands%20Site.pdf>

Coventry One Strategic Plan and Education Capital Programme
Cabinet Report – 10th January 2023

<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?Cid=124&Mid=12821&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

1. Context (or background)

- 1.1. 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 Education Partnership to meet the additional places required in all phases of education (Early Years, Primary, Secondary and Special Education Needs (SEN)) from 2023 – 2027.
- 1.2. The Council holds the statutory duty to ensure sufficiency of places. Where a school is an Academy or Free School their admissions arrangements are outside of Local Authority control and therefore early discussions and input from Academies is crucial to delivering the required number of school places across the city.
- 1.3. The Department for Education (DfE) provides each Local Authority with an annual update on the estimated cost per providing a school place nationally, with a local variation. Coventry uses these figures to inform their S106 contributions from housing developers. Accordingly, the cost per pupil place as outlined in the appendix has been updated to reflect this change.

1.4. Primary

- 1.4.1 The birth cohort is continuing to reduce, although it is not impacting on the sufficiency of school places because of the increase of in-year applications from pupils relocating from outside of the city.
- 1.4.2 The recent increase in demand of school places across the city because of in-year migration has led to increased numbers in most year groups, and in some cases requiring schools to go over their Published Admission Number (PAN).
- 1.4.3 We have put in place a temporary expansion programme for existing Primary schools to accommodate this increase. From September 2023, additional bulge classes were added in Moat House Primary School, Frederick Bird Primary School, and Moseley Primary School. This was to ensure sufficiency of places, viability for schools, and cost efficiency.
- 1.4.4 More temporary school expansions will be implemented from 2024 onwards to manage and assist with the increased temporary demand for school places. This will be flexible and developed in partnership with schools in the city.
- 1.4.5 There is no current requirement to permanently increase school PAN's due to the continued decreased birth rate.

1.5. Secondary

- 1.5.1. Since September 2018, additional capacity has been added in Secondary schools to provide for the larger cohorts identified through the pupil forecasts. As agreed at Coventry Education Partnership meetings, the plan has been to deliver and 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 (e.g., Year 7 increase, and that increase then moves through the school until 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 be adopted in increasing and reducing capacity as required.

- 1.5.2. The phase one expansions, covering years 2018 to 2021, were presented to Cabinet in October 2018 to address required growth in school places across existing secondary schools. It demonstrated an approach of flexibility, adaptability, and foresight, ensuring that the Education could respond effectively to the additional pupils as a result of birth rate increase.
- 1.5.3. Phase 2 was presented in October 2020, and cover increases between 2022 – 2024. All these expansions are ongoing and due to complete this year.
- 1.5.4. Phase 1 and phase 2 have successfully provided sufficient year 7 places across these years. However, due to the increased number of pupils within primary schools, as a result of in-year growth rather than birth cohort (as set out above), there has been a need to develop and introduce Phase 3 covering years 2024-2027 to effectively manage and assist with the increased demand for school places.
- 1.5.5. Phase 3 plan will continue with the flexible approach to delivering school places using temporary and permanent school expansions, ensuring efficient use of basic need funding by partially reusing building capacity added in previous years to deliver previous temporary expansion.
- 1.5.6. Due to the reduced birth rate, it is expected that the cohort moving into year 7 from September 2028 will be reduced. With this in mind, the strategy continues to deliver places in a flexible approach responding to the supply and demand. As the admissions trends have changed very recently regarding in-year applicants, this position is being regularly reviewed to consider whether more permanent provision is required in the longer term.

1.6. **Special Education Needs and Disability (SEND)**

- 1.6.1. 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. Coventry currently has 8 specialist provisions delivered in the form of resourced centres/units in mainstream schools. It also has special school provision across 8 schools.
- 1.6.2. Recent evidenced growth in need, an increase in in-year admissions, and extended retention in post 16 provision, specifically in the areas of learning disability, complex communication (autism spectrum conditions) and social emotional and mental health (SEMH), has placed an unprecedented level of demand on the special school system. This reflects the national position.
- 1.6.3. In Coventry 18.2% of pupils have an EHC (Education Health Care) Plan or are receiving SEN support (previously school action and school action plus). This compares to an average of 17.1% across All local authorities in the West Midlands and 16.5% Nationally. Although the SEND Support Cohort is larger than regional and national benchmarks, CCC EHCP cohort is lower.

- 1.6.4. Coventry schools, early years and further education providers identify SEND and access appropriate support for their SEND cohort through the local offer. The SEND local offer is strong, and therefore a greater proportion of children have their needs met at 'SEND Support' without the need for an EHC Plan.
- 1.6.5. Between September 2017 and 2024 there have been c.400 places added across the Special School estate and it is expected further expansion will be required.

2. Options considered and recommended proposal.

2.1. Primary Schools options and recommended proposal

- 2.1.1 Despite the decreasing birth rate, and previously forecast reduction in school places, the increase in in-year applications means we are required to respond to continued sufficiency need in the primary sector to deliver our statutory duty. Education are looking to expand primary school capacity using bulge (temporary) classes.
- 2.1.2 The Local Authority has been working in partnership with schools to open bulge classes across year groups 1 – 5 to provide additional places Schools will receive an extra revenue budget allocation to accommodate these, and where required additional classroom spaces/capital investment.
- 2.1.3 The council has secured land for primary provision at 2 housing developments in the city. These remain crucial to ensure sufficiency of places in the longer term when the housing developments are in progress and completed. The option to relocate and expand existing schools is being explored and the projects will be progressed in line with receipt of funding and demand for places in the area.

2.2. Secondary School options and recommended proposal

- 2.2.1. Across the Phase 1 and Phase 2 programme's there have been c.1,300 additional pupil places added (temporary and permanent) to support the increase in demand for Secondary school places in the City from September 2018 to September 2024.
- 2.2.2. Implementation of the Phase 3 programme covering years 2024-2027 is now underway to effectively manage and assist with increased demand for school places over the short to medium term. Within Phase 3 there is an additional 12 temporary, and 4 permanent forms of entry proposed across secondary schools (960 additional places).
- 2.2.3. Our approach in phase 1 and 2 to add provision that allows schools to be flexible to sufficiency requirements has been effective and demonstrated efficient use of resources. It is planned that some of the provision added in phase 1 and 2 that supported temporary expansion is reutilised to provide the additional classes required for phase 3. Where further building expansion is required, this will be funded from the education capital programme as set out in section 2.3.
- 2.2.4. Due to the unknown level of in-year migration over the longer term, and subsequent impact across primary and secondary sufficiency, there may be a requirement for additional land for secondary provision. This is being monitored as part of the sufficiency requirement and funding may be required for purchase of land.

2.2.5. Special Education Needs Options

- 2.2.6. Coventry City Council have been allocated funding to create new school places and improve existing facilities for children and young people with SEND. This funding totals c£19.5m (Special Provision Fund and High Needs Provision) and is allocated across multiple projects, to create 308 places within Coventry SEN schools.
- 2.2.7. A separate report to Cabinet to address the proposed strategy to meet the demand for Social Emotional Mental Health (SEMH) need by expanding and relocating Woodfield Special school was presented in October 2021.
- 2.2.8. Further projects at Sherbourne Fields, Baginton Fields and Corley Special Schools are also being planned to provide additional specialist secondary school places.
- 2.2.9. In order to expand our inclusive education offer, expansion of mainstream primary schools to provide enhanced resource provisions (ERP) is also underway. These ERPs will accommodate c8-10 pupils per provision and will be managed by multiple schools within the city. Education are planning to open a further 3 ERPs from September 2024, with further planned in subsequent years.

2.3. Finance

- 2.3.1. Basic need funding is allocated to Local Authorities to meet the demand for pupil places. Allocations have been announced up to 25/26 academic year, but due to the central government spending review the funding for the 2026-27 allocations has been delayed. Consequently, there will be no allocation published in March 2024 as per practice, this could mean that there is insufficient funding to meet the required capital projects to deliver our sufficiency duty within the appropriate timescale.

Year of Allocation	£
Historic Funding Received	14,665,000
19/20 Allocation	3,913,000
20/21 Allocation	6,237,000
21/22 Allocation	23,733,503.95
22/23 Allocation	£13,724,521.70
23/24 Allocation	£20,175,916
24/25 Allocation	£275,551
25/26 Allocation (Nil Allocation)	£0
TOTAL FUNDING	82,724,761.65

- 2.3.2. Coventry City Council received an additional £15m towards SEND provision in March 2022 and some of this funding has been utilised to expand existing SEND special schools. It is proposed the remaining funds will be utilised to facilitate the relocation and expansion of Woodfield Special School and address building works required for expansion at Baginton Special School. A final tranche of funding will be announced in March 2024 which will be utilised for enhancing existing education projects.
- 2.3.3. Overall capital resources for One Strategic Plan. This funding has been allocated to deliver priorities as set out in the strategy.

Funding Stream	£
Education Capital Basic Need up to 2024/25	82,724,761.65
S106 for Education (funding received)	12,113,416.03
Education Special Provision Fund	3,950,018.00
High Needs Capital Funding including 23/24 Allocation	15,573,500.00
Other Capital Resources (land receipts)	11,898,228.21
TOTAL One Strategic Plan	126,259,923.89

2.4 Academy Conversion Charges

- 2.4.1 In line with the agreement by Cabinet in 2016, the Council charge the School or multi-academy trust for the time and services up to completion of the academisation process.
- 2.4.2 The charges approved in January 2016 totalled £6,750 and have not been increased over this period. As a result of increased salary costs due to inflation, academisation recoupment fees have been reviewed and increased as set out below.
- 2.4.3 The updated academy conversion recoupment charges will be applied to all conversions from January 2024:

Invoice item	Amount
Conversion fees for Finance Service	£2,000
Conversion fees for Legal Service	£3,900
Conversion fees for Capital Strategy Service	£1,015
Conversion fees for HR Service	£1,200
Total	£8,115

3. Results of consultation undertaken

- 3.1.1. As academies, any 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 Coventry Education Partnership meetings to co-produce this One Strategic Plan. For Primary, and SEND, depending upon whether the school is maintained or academy, the responsibility for conducting the consultation will either sit with Coventry City Council 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 Coventry Education Partnership meetings	June 2023 – November 2023
Report to Cabinet for adoption of the policy set out in the One Strategic Plan and recommendations	February 2024

5. Comments from the Chief Operating Officer (Section 151 Officer) and the Chief Legal Officer

5.1. Financial implications

Capital resources for the One Strategic Plan are a cumulation of several funding streams, including provisional future year allocations which could still be subject to some change. Project costs are also indicative until the point of awarding contracts and therefore may differ from those currently anticipated.

The overall programme of works may need to be adjusted to ensure spend is not committed above the available resource. And balanced against sufficiency requirements.

The revenue cost of places in mainstream schools is funded via the Schools Block element of the Dedicated Schools Grant (DSG). Within the Schools Block local authorities receive a Growth Fund allocation which enables them to support schools with in-year pupil growth which is not otherwise immediately recognised by the lagged funding system.

The revenue cost of places in specialist provisions for pupils with SEN is funded via the High Needs Block element of the DSG. There is a risk that the revenue cost of increased statutory demand will exceed our High Needs Block allocation. In response a High Needs medium term financial strategy is being developed to consider options for managing this risk.

5.2. Legal implications

Section (S) 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.

Land Acquisition

Section 120 of the Local Government Act 1972 provides that for the purposes of (a) any of the Council's functions under this or any other enactment or (b) the benefit, improvement or the development of the Council's area, the Council may acquire any land whether situated inside or outside its area.

Law and Governance Services will be required to undertake the necessary legal due diligence including examining search results and the title for the property. Enquiries before contract will be raised and the purchase will be subject to satisfactory results of the searches, a good and marketable title and a satisfactory survey and valuation result.

6. Other implications

This strategy supports the One Coventry Plan priorities:

- Improving outcomes and tackling inequalities within our communities – Education endeavour to ensure sufficient school places within each locality, creating quality, accessible and inclusive provision across the city.
- Tackling the causes and consequences of climate change – when delivering building works on school sites Education consider it a priority to invest in environmental infrastructure. Examples include implementing solar PVs, air source heat pumps and using local materials (where possible) to reduce the carbon footprint.

6.1. How is risk being managed?

Monitoring is carried out through several 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.

6.2. What is the impact on the organisation?

There are no specific impacts on the organisation.

6.3. Equalities Impact Assessment (EIA)

Children and young people with SEND can experience greater discrimination and may have fewer opportunities than children without SEND. 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.

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

The Department for Education's Sustainability and Climate Change Strategy sets out a vision for the UK to be the world-leading education sector in sustainability and climate change by 2030. In England this will be achieved through both education and practical steps to transition to net zero, create more resilient infrastructure to adapt to a changing climate and create a better environment around education settings which includes enhancing biodiversity and improving air quality. By 2025, government requires all education settings to put in place Climate Action Plans.

Coventry has 117 schools (excluding private owned). Of these 117 schools, 52% are LEA schools and purchase energy from Coventry City Council and therefore, captured within scope 3 of Coventry City Council's annual greenhouse gas emissions report. LEA schools account for 9% of Council emissions.

All future build programmes will need to be designed to a high standard of energy efficiency and be net zero in operation. They will be required to be designed to adapt to a changing climate. Any new school buildings designs should prepare for and mitigate against the effects of climate change, including measures to reduce surface water run off because of flooding, reducing any negative effects on the local community and environmental infrastructure. Opportunities should be identified to create green space, sustainable urban drainage and enhance biodiversity. The design needs to consider measures for thermal cooling to ensure new buildings can cope with more extreme temperatures, alongside making provision for outdoor shade.

Opportunities should be identified to improve the energy efficiency and climate resilience of existing buildings as part of any planned refurbishment. As part of this, consideration should be given to using the capital programme to leverage additional grant funding to support decarbonisation projects on existing schools, such as the Public Sector Decarbonisation Scheme 3b that is supporting the delivery of measures to upgrade heating systems and install renewable energy across some schools in 2024-25. The Council's Strategic Energy Partnership with E.ON will

endeavour to support this programme through seeking to introduce more solar PV across Coventry schools.

As part of the DFE's Sustainability and Climate Change Strategy, all schools will need to report their carbon emissions and set and monitor against targets for carbon reduction. In order to support this, future cost benefit analysis will need to incorporate the environmental and socio-economic costs of the impacts of carbon emissions and consider climate resilience and adaptation.

6.5. Implications for partner organisations?

Planning for additional SEND places will require close partnership working with the Health, Social Care and Private/Voluntary Organisations and will enable multi-agency support and provision for children with SEND to be made.

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