

	<p style="text-align: center;">Children, Education, Libraries and Safeguarding Committee</p> <p style="text-align: center;">15th September 2014</p>
<p style="text-align: center;">Title</p>	<p>Planning for new school places 2015/16 to 2019/20</p>
<p style="text-align: center;">Report of</p>	<p>Schools, Skills and Learning Lead Commissioner</p>
<p style="text-align: center;">Wards</p>	<p>All</p>
<p style="text-align: center;">Status</p>	<p>Public</p>
<p style="text-align: center;">Enclosures</p>	<p>Appendix A Commissioning School Places 2015/16 - 2019/20</p>
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Summary
<p>This report updates Barnet’s commissioning strategy for school places up to 2019/2020, to ensure that Barnet meets its duty to provide sufficient places.</p> <p>The commissioning strategy (Appendix A) sets out the investment plans currently in place, those that are in development and where further planning is required as we move towards the end of the decade. The strategy covers the need for additional primary and secondary school places and provision for children with special educational needs to meet the growing population in the borough.</p> <p>The report outlines the requirement for future capital investment to deliver school places in order to inform the council’s budget setting process.</p>

Recommendations

1. That the Children, Education, Libraries and Safeguarding Committee approve the commissioning strategy for the delivery of new school places up to 2019/2020.
2. That the Children, Education, Libraries and Safeguarding Committee recommend the investment requirement (set out in paragraph 5.2.2 and paragraph 5.2.3) to the Policy and Resources Committee for inclusion in the council's medium term financial strategy.
3. That the Children, Education, Libraries and Safeguarding Committee request that the Policy and Resources Committee note that additional capital funding may be required towards the end of the decade if central government investment is less than assumed and/or if pupil projections are revised.
4. That the Children, Education, Libraries and Safeguarding Committee approve the commencement of consultation with headteachers, governors and other stakeholders on models for delivering additional places for children with special educational need.
5. That the Children, Education, Libraries and Safeguarding Committee asks Barnet's Schools Forum to develop criteria to guide local decision-making in relation to independent schools seeking to become voluntary aided (paragraph 1.4.3).

1. WHY THIS REPORT IS NEEDED

- 1.1 This report updates Barnet's commissioning strategy and the requirement for new school places to ensure that Barnet meets its statutory duty to provide sufficient places up to 2019/2020. Barnet has invested, and is currently investing, to meet the unprecedented demand for school places through expanding schools and building new schools. Barnet's Education Strategy set out the principles for this investment and is supported by a more detailed commissioning strategy. This commissioning strategy, updated and contained in Appendix A, sets out the investment plans currently in place, those that are in development and where further planning is required as we move towards the end of the decade.
- 1.2 To date, the main focus of school place planning has been to ensure sufficient primary provision but as the increased number of pupils in our primary schools move through to secondary, we need to now focus on planning for, and providing, sufficient secondary school and associated provision.

Context

- 1.3 Barnet's Education Strategy sets how the educational landscape is shifting both nationally and locally, with roles and responsibilities changing to reflect the increasing autonomy of schools. Whilst Over 70 percent of Barnet secondary schools are now Academies and 10 per cent of primary schools, the local authority retains a duty to ensure sufficient school places.

1.3.1 However, the local authority has no jurisdiction with respect to the decision making process of an academy to expand and there is a presumption that all newly commissioned schools will be Academies or free schools (free schools is the term used for Academies which have not converted from maintained schools). Therefore, whilst the statutory duty falls to the local authority, the ability to directly control supply is diminishing. In relation to Academies and free schools, the Department for Education (DfE) has now established the new role of Regional Commissioner whose responsibilities include taking decisions on the creation of new Academies and making recommendations to ministers about free school applications.

1.3.2 Planning for investment in new school places is therefore complex and requires a degree of flexibility in order to respond not only to demographic trends, changes in the housing market and shifts in parental preference but also to any development of new provision in Barnet commissioned through the Regional Commissioner and the DfE.

Approaches to meet the growing demand for school places

1.4 Within this environment, new primary and secondary school places can primarily be provided through:

- Expanding existing state maintained schools – primary, secondary and special schools.
- Inviting proposals for new Academy schools .
- Free Schools commissioned directly by the DfE and the Regional Commissioner.

1.4.1 *Expanding existing schools.*

The majority of the new places at primary level in Barnet have so far been provided through working with headteachers and governing bodies to expand successful primary schools. The potential to do this reduces once schools on larger sites have been expanded and so three current projects will provide new primary provision on secondary school sites (the Wren, London Academy and St Mary's and St John's). There is a need to develop more of these innovative and creative solutions going forward to maximise the use of the existing school estate to meet demand.

1.4.2 *New schools (including free schools).*

Millbrook Park is an example of a new Academy commissioned by the local authority to serve the demand for school places from families moving into new housing developments in Mill Hill. Where the local authority has identified that a new school needs to be established, it must seek proposals for the establishment of an Academy. In addition, free schools proposers can directly approach the DfE (now in conjunction with the new Regional Commissioners) with proposals to open up new Academies. These schools can increase parental choice but may also contribute to meeting the local 'basic need' for school places depending on the nature of the school. Five free schools have opened in Barnet, with further schools anticipated to open in the next couple of years. As Free Schools are directly commissioned by the DfE, it is difficult

to predict their contribution to meeting demand, or to build this capacity into pupil place planning with any degree of certainty.

1.4.3 *Independent schools becoming maintained.*

Independent schools becoming voluntary aided (state maintained) can provide additional places if the school expands on entering the state maintained sector to take additional places over and above places already provided or if the catchment area of the school shifts to focus more on in Borough pupils. At present, there is a lot of interest in Barnet among independent schools seeking to enter the state maintained sector and therefore receive state funding. Experience so far suggests the number of new places provided is often small. The most recent DfE guidance requires local authorities to consider a range of factors when deciding whether to approve a move by an independent school into the maintained sector with a key focus on value for money. It is recommended that Barnet develops a revised framework for considering future applications and that the Committee ask the Schools Forum to help shape this new framework for consideration by the Committee by end of March 2015.

Future investment required

1.5 The government makes capital grant funding available for 'basic need' through an annual allocation and has, in recent years, also made available several one-off funding opportunities in view of the severe pressure for school places in some parts of the country. Basic need funding is given to local authorities for investment in all types of schools including Academies. For some housing developments, monies from developers can also be allocated towards meeting the cost of educational infrastructure. As with many parts of London, Barnet Council has also had to identify capacity to borrow monies to enable sufficient investment in both temporary and permanent school places to meet the unprecedented demand for school places.

1.5.1 Barnet has been investing to provide more school places since 2008/09 in order to meet the rising demand for school places in London. Birth rates have risen in London by around 30% since 2003/4 and this trend, together with shifting population patterns and new housing growth, are leading to more children requiring school places.

1.5.2 Although Barnet has already provided, or is in the process of providing around 4,500 permanent new school places across the borough, the commissioning strategy in Appendix A sets out the current pupil projections which forecast that new school places will continue to be required long past the end of this decade.

1.5.3 As part of the development of a five year budget programme, the Committee is required to set out the capital requirement up to 2019/2020. The requirements within the commissioning strategy over the next five years for pupil places are driven by the need to:

- A. Complete the primary expansion programme to provide sufficient capacity up to the end of the decade.

- B. Ensure that there will be sufficient secondary school places available as the primary pressure feeds through.
- C. Meet the needs of communities in areas of regeneration and growth.
- D. Ensure there is appropriate and sufficient provision for vulnerable children and young people, who may need specialist provision or alternative provision to school.

1.5.4 In the following paragraphs, the proposals for meeting this need are described, with further detail available in the Commissioning Strategy. The outline capital requirements to meet this need are set out in Appendix A and discussed in Section 5.2 below.

1.5.5 **A. Complete the primary expansion programme up to 2019/20**

We have made good progress in meeting primary demand and have plans in place to meet the demand for primary school places in the main areas of regeneration (see below). However, there are likely to still be parts of the borough, outside of the regeneration areas, where the current programme will not fully meet the pressure in the next five years.

Outside of the regeneration areas, we may require up to four further forms of entry to meet the need for reception classes at primary level. These are anticipated to be needed mainly in the east of the borough. It is likely that that this requirement will be mainly met by new free school provision. Therefore for capital planning purposes up to 2019/20 we have assumed the need for the council to identify funding for one further form of entry in the east of the borough. Should some, or all of the free school provision not be realised, there may be a need to identify council funding for further forms of entry towards the end of the decade.

1.5.6 **B. Ensure sufficient secondary school places**

The primary pressure will feed through to secondary in the next few years and there is projected to be a significant shortfall in secondary school places by the end of the decade and beyond. In anticipation, the Council has funded the expansion of three Academies – the Compton, Christ’s College and Copthall. Two new secondary free schools opened last September (the Archer and St Andrew’s the Greek Apostle) and St Mary’s and St John’s will be offering new secondary provision from September 2014. These developments mean that at present, there is spare capacity at the secondary level, albeit concentrated in a small number of schools. This capacity will be fully utilised by 2016/17 with a shortage of places thereafter that will increase rapidly over a short period of time. The shortage is projected to continue through to 2029/30. We have developed a low, medium and high forecast projection of pupil places required up to the end of this decade, based on the margin applied to allow for parental preference and pupil mobility (Table 1 below). The medium forecast projects a need for 18 forms of entry.

1.5.7 Some secondary pupils are educated at the Pavilion Pupil Referral unit and investment is required to ensure that its building is fit for purpose to ensure a high quality offer alongside mainstream secondary schooling. Furthermore, there is an identified need within Barnet’s Education Strategy to seek to broaden the secondary offer to ensure that there is an appropriate curriculum

choice on offer through the development, for example, of a studio school. Options to develop this type of new provision are under active exploration as part of the council's regeneration plans.

Table 1: New secondary school places (forms of entry) required up to 2019/20

Academic Year	Low forecast	Medium forecast (+3%)*	High forecast (+5%)*
2015-2016	15.4 FE(surplus)	11.7 FE (surplus)	9.1 FE (surplus)
2016-2017	7.9 FE (surplus)	3.9 FE (surplus)	1.2 FE (surplus)
2017-2018	4.4 FE (surplus)	0.3 FE (surplus)	-2.5 FE (shortfall)
2018-2019	-2.8 FE (shortfall)	-7.1 FE (shortfall)	-10.0 FE (shortfall)
2019-2020	-13.3 FE(shortfall)	-17.9 FE (shortfall)	-21.0 FE (shortfall)

* margin applied to allow for parental preference and pupil mobility

Table 2: Approach for new secondary school places (forms of entry) up to 2019/20

Additional year 7 places	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
8FE	Review and commission				8FE by September 2018	
10FE		Review and commission				Further 10FE by September 2019

1.5.8 For capital planning purposes up to 2019/20, we have assumed that 6FE of the 18FE shortfall currently projected will be met by free school provision. This leaves the requirement to identify funding for 12FE further form of secondary provision up to 2019/20 and for the rebuilding of the Pavilion Pupil Referral Unit. Should the free school provision not be realised, there may be a need to identify additional council funding for 6FE towards the end of the decade.

1.5.9 **C. Regeneration and growth**

Colindale: Orion school has recently opened in new premises to provide an additional two forms of entry. Working in partnership with the Catholic Diocese, we are developing a proposal to relocate and expand Blessed Dominic as part of the development of a catholic education hub on the nearby St James site. This proposal would also see the expansion of St James as part of meeting secondary demand (see below). The vacated site would become available for a new secondary school in the heart of the regeneration area, potentially with space for primary provision. A feasibility study of this alternative option is being commissioned.

Other developments in Colindale and wider area include:

- A new three form entry school at the Peel Centre.
- A new two form entry free school in Pavilion Way.

- The expansion and amalgamation of St Joseph's infant and Junior Schools.
- Identified education site on the current Barnet and Southgate College site.

For capital planning purposes up to 2019/20, we have assumed an education contribution from developers and that funding will be required for five forms of primary provision and ten forms of secondary provision. Should developer contributions be less than anticipated, further capital resources will be required towards the end of the decade.

1.5.10 *West Hendon*: the development of West Hendon has a site identified for a new two form entry primary school to be developed in the later phases of the programme – post 2020. In the meantime, it may be necessary to expand a nearby primary school to accommodate any additional pupils that move into the new development and provision has been allowed for this within the capital planning set out in this report.

1.5.11 *Brent Cross*: The educational impact of this major development will take effect towards the end of the decade. Current plans include the expansion of a primary school and the relocation and expansion of a secondary school. However, this is unlikely to be sufficient and as the plans develop, additional educational provision will need to be identified. Much will depend on the phasing and completion of the housing, current indications are that the majority of the investment requirements for education are likely to be needed post 2020. However, this will need to be kept under regular review in the light of the regeneration plans alongside migration in and out of the area in the meantime.

For capital planning purposes up to 2019/20, we have assumed the council will be required to fund one form of entry expansion at an existing school to accommodate demand before 2019/20 with a new two form entry school to be built in the decade post 2020 (and therefore no allowance made within the programme up to 2019/20).

1.6 ***D. Special Educational Needs provision***

We have recently completed a project to review the future need for provision for children and young people with special educational needs. This has enabled us to quantify with greater certainty the future demands for specialist places, and how best to provide these. Further work is now underway to develop new models of provision and that these will be the subject of further consultation with headteachers, governors and parents.

1.6.1 Barnet is an inclusive authority with 57% of pupils with a statement of special educational needs in mainstream settings, a level which is significantly higher than our statistical neighbours and other Outer London boroughs. Specialist provision is required to meet the needs of the remainder. Some of this is offered by attached resourced provision in mainstream primary and secondary schools, with a greater number of places provided by Barnet's four special schools. Additionally, a number of pupils with SEN statements are placed in the special schools of other local authorities. In February 2014, almost 10% of

pupils with a statement issued by Barnet were placed in a non-maintained or independent provision, including 35 in expensive residential settings.

- 1.6.2 Most of the additional requirements are driven by the increase in the numbers of children with a diagnosis of autism (ASD) or identified as having speech, language and communication difficulties (SCLN). We need to develop a strategy to enable primary and secondary schools to cope better with these children and this may require, in some instances, a small amount of capital investment to enable schools to make physical adaptations to their buildings, e.g. in the creation of appropriate low sensory environments and spaces for the delivery of therapies.
- 1.6.3 The current pattern of provision of specialist places has tended to develop reactively over time. As a result, it does not fully align with the geographic spread of demand across the borough, resulting in a significant and growing transport cost and long journeys for some children. There is evidence that most parents wish for provision to be as local as possible.
- 1.6.4 The review has provided forecasts of levels of specialist places required through to 2040, in order to get a long-term view of future needs as any capital investment needs to be justified over this sort of timescale. It is however a very long timescale in the world of SEN, where patterns can shift in a relatively short period, legislative changes have a significant impact and new practice can suggest radically different models of delivery. Nonetheless, it has enabled us to take a reasonably firm medium term view in planning for additional requirements.
- 1.6.5 The review has proposed that the plan for capital investment should focus on the point at which numbers reach a level which is sustained or exceeded for 10-15 years. In the primary sector, this is reached in 2019 and, across the secondary age range, 2024.
- 1.6.6 In addition to the demographic changes, investment is also required to support the programme already underway to reduce dependency on expensive placements in independent and residential provision, which are often the result of a lack of suitable local facilities.
- 1.6.7 Putting the two threads of increased demand and reducing dependence on the independent sector, the following additional demands need to be planned for before 2020:

Table 3: Requirement for new provision for children with special educational needs

	Primary ASD/SLCN (places)	Secondary ASD/SLCN (places)	Primary BESD (places)	Secondary MLD (places)
Demographic pressures	18 places	45 places	2 places	11 places
Reduce Dependency on Expensive Placements	10 places	10 places	8 places	5 places
TOTAL	28 places	55 places	10 places	16 places

- 1.6.8 These figures take into account the projects already underway: the expansion of Oak Lodge and Oakleigh Special schools; the new resourced provision opening in the new relocated Orion School; the additional capacity planned at the new Academy Special School intended to replace the Oak Hill annex to Mill Hill Academy. They also assume that a local independent Special School which has plans to become a Free School can expand its capacity to 40 places in its first year of operation, rising to 50 places over time.

In order to address the issues of providing provision as locally as possible, both to meet parental aspirations and to reduce transport costs, we will be consulting on models which assume the development of small units rather than, for example, a new special school. This would also provide more flexibility for adapting to changes in future requirements.

2. REASONS FOR RECOMMENDATIONS

The Council has a duty to ensure sufficient school places are available. The recommendations in this report will enable the council to fulfil this duty through to 2019/20. Due to the complexities outlined in the report, the programme of activity and its associated capital requirements will need to be kept under review.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

The capital requirement set out in this report is based on meeting the need for school places up to 2020. In planning school places, the Council uses pupil projections provided by the Greater London Authority. The Council has a statutory duty to provide a school place and the options in providing new places is limited to expanding existing schools or building new schools. Site availability for new schools is severely restricted in London. Like all London boroughs, Barnet's approach is to adopt a mix of strategies, assessing all opportunities and retaining a flexible and adaptable approach.

4. POST DECISION IMPLEMENTATION

The future capital requirements to provide school places will be considered by the council's Policy and Resources Committee for inclusion in the council's medium term financial strategy.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

Ensuring a sufficient supply of good quality school places supports the council's ambition for Barnet to create the right environment to promote responsible growth, development and success. The reputation and quality of Barnet's schools makes Barnet an attractive place to live and is key to the satisfaction of many residents in the borough. With the borough's population set to grow, the investment programme set out in this report will sustain the good quality education offer within areas of growth. It will also ensure that the growing number of children with special educational needs will have increased access to good quality local provision within the Barnet partnership of schools.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 This report has reviewed the future capital requirement to inform the council's budget setting process up to 2019/20. The requirements are calculated using estimated costs for providing primary and secondary school provision based on Barnet's experience to date in delivering school places. Based on current projections, there will be a need for further on going investment post 2019/20 to, in particular.

The total capital cost of providing new school places (not yet commissioned) has been projected to be £173.5m between 2015/16 and 2019/20.

Table 4: Projected total cost of new school places 2015/16-2019/20

	2015/16	2016/17	2017/18	2018/19	2019/20	Total
Temporary bulge classes	250,000	250,000	250,000			750,000
Primary programme	5,000,000	15,000,000	11,000,000	8,000,000	6,000,000	45,000,000
Secondary programme	12,000,000	22,000,000	24,000,000	15,000,000	19,000,000	92,000,000
SEN	6,000,000	2,000,000	2,000,000	2,000,000		12,000,000
Pupil Referral Unit	4,000,000	4,000,000				8,000,000
Sub total	27,250,000	43,250,000	37,250,000	25,000,000	25,000,000	157,750,000
Contingency	2,725,000	4,325,000	3,725,000	2,500,000	2,500,000	15,775,000
Total	29,975,000	47,575,000	40,975,000	27,500,000	27,500,000	173,525,000

5.2.2 However, the full cost of the building programme is unlikely to fall solely on the council. Central government funding makes a contribution to the cost of providing new school places through two main avenues; an annual capital basic need grant and the funding of free schools. The Council is aware of a number of free school proposals in the pipeline, some of which are well

advanced. In order to develop a realistic capital requirement and enable a prudent estimate of the need for council borrowing, it has been assumed that the central government funded free school programme will provide six forms of entry at secondary and three forms of entry at primary level by the end of the decade. This leaves a capital funding requirement of £115m.

Table 5: Council's capital requirement for cost of new school places 2015/16-2019/20

	2015/16	2016/17	2017/18	2018/19	2019/20	Total
Temporary bulge classes	250,000	250,000	250,000			750,000
Primary programme	3,000,000	11,000,000	9,000,000	6,000,000	4,000,000	33,000,000
Secondary programme	8,000,000	8,000,000	1,000,000	15,000,000	19,000,000	51,000,000
SEN	6,000,000	2,000,000	2,000,000	2,000,000		12,000,000
Pupil Referral Unit	4,000,000	4,000,000				8,000,000
Sub total	21,250,000	25,250,000	12,250,000	23,000,000	23,000,000	104,750,000
Contingency	2,125,000	2,525,000	1,225,000	2,300,000	2,300,000	10,475,000
Total	23,375,000	27,775,000	13,475,000	25,300,000	25,300,000	115,225,000

5.2.3 Through the council's budget development and budget setting arrangements, this capital requirement will be proposed as part of the council's capital programme up to 2019/20. The capital programme will identify funding sources including monies previously allocated to school places that have not yet been allocated to particular projects (£86.05M) and potential future central government basic need grant (£21m based on assumption that current allocation will continue). The funding gap of £8.2M will need to be considered by Policy and Resources.

5.3 Legal and Constitutional References

Under the Council's Constitution, functions within the Terms of Reference for the Children's Education, Libraries and Safeguarding Committee responsibility include:

- planning the adequate provision of school places in the Borough
- investment in educational infrastructure to meet the needs of the Borough's learners
- to be responsible for those powers, duties and functions of the Council in relation to Children's Services (including schools)
- to be responsible for those powers, duties and functions of the Council in relation to Children's Services (including schools).

5.3.1 The Council has a statutory duty under the Education Act 1996 to ensure the provision of sufficient schools for primary and secondary education in their area. Under s.14 of the Education Act 1996, a local authority shall secure that sufficient schools for providing primary and secondary education are available in their area. Sufficient means sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. In meeting this duty, a local authority must do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

5.3.2 State funded schools are split into schools maintained by the Local Authority

and those directly funded by Central Government. The former are split into a number of categories, including foundation, community and voluntary aided schools. The latter encompass Academies and free schools (which are Academies which did not convert from a maintained school). For maintained schools, there are prescribed requirements in order to make specific alterations. This includes expanding existing schools to add additional form groups. The requirements are set out in the Education and Inspections Act 2006 and associated regulations. Academies do not have to follow the same requirements in order to expand, but are expected to seek the approval of the Secretary of State. Section 6A of the Education and Inspections Act 2006 requires that local authorities seek proposals for the establishment of an academy if they think that a new school is required in their area. There are only limited circumstances when a local authority will be able to publish proposals to establish a new maintained school.

5.4 Risk Management

- 5.4.1 The capital requirement recommended to go forward to Policy and Resources Committee assumes that some school and special school places will be funded by central government through the free school programme. It is recommended that Policy and Resources be advised of the risk that should this not occur, the council will need to identify further resources.
- 5.4.2 With rising costs of construction, it is likely that project budgets will come under pressure. There is a contingency assumed with the capital requirement, this will need to be reviewed in the light of future building costs. The capital requirements have been calculated using estimated average costs and as each project develops, detailed costings will be required.
- 5.4.3 It is assumed that there will be land available to accommodate school expansions and new schools and that the council will not need to purchase additional land.
- 5.4.4 All pupil place planning is based on pupil projections and there is a risk that the projections are inaccurate. The Council utilises projections produced by the Greater London Authority and regularly reviews the accuracy of the projections to inform future planning.

5.5 Equalities and Diversity

Ensuring a high quality education offer supports the progress of all children and young people including those with additional needs or at risk of underachievement, for example, children with additional learning needs, young people with poor mental health or those at economic disadvantage. By expanding successful schools, investing in new provision for children with special educational needs and aiming to retain Barnet's diverse educational offer, the council is investing to ensure that Barnet remains a popular place for families to live and study.

5.6 Consultation and Engagement

Schools are engaged with the strategic approach to planning school places through a headteacher stakeholder steering group. In addition, regular

briefings are provided through the termly director's meetings with headteachers and chairs of governors. For individual projects that involve the expansion of an existing school or the establishment of a new school, there is a statutory requirement to consult.

6. BACKGROUND PAPERS

Cabinet, 18 June 2013 - An Education Strategy for Barnet 2013/14 – 2015/16
<http://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=120&MId=7462&Ver=4>