

DELEGATED POWERS REPORT NO.

2021

SUBJECT: Targeted Basic Needs Programme Funding Bids

Control sheet

All of the following actions MUST be completed at each stage of the process and the signed and dated report MUST be passed to the Governance Service for publishing

All reports		
1. Governance Service receive draft report	Name of GSO Date	Anita Vukomanovic 18/04/2013
2. Governance Service cleared draft report as being constitutionally appropriate	Name of GSO Date	Anita Vukomanovic 23/04/2013
3. Finance clearance obtained (<i>report author to complete</i>)	Name of Fin. officer Date	Farhana Begum 25/04/2013
4. Staff and other resources issues clearance obtained (<i>report author to complete</i>)	Name of Res. officer Date	Chas Dowden 24/04/2013
5. Strategic Procurement clearance obtained (<i>report author to complete</i>)	Name of SPO Date	Lesley Meeks 24/04/2013
6. Legal clearance obtained from (<i>report author to complete</i>)	Name of Legal officer Date	Hema Parmar 26/04/2013
7. Policy & Partnerships clearance obtained (<i>report author to complete</i>)	Name of P&P officer Date	Andrew Nathan 18/04/2013
8. Equalities & Diversity clearance obtained (<i>report author to complete</i>)	Name of officer Date	Andrew Nathan 18/04/2013
9. The above process has been checked and verified by Director, Head of Service or Deputy	Name Date	Alison Dawes 26/04/2013
10. Signed & dated report, scanned or hard copy received by Governance Service for publishing	Name of GSO Date	Anita Vukomanovic 14/5/13
11. Report published by Governance Service to website	Name of GSO Date	Anita Vukomanovic 14/5/13
12. Head of Service informed report is published	Name of GSO Date	Anita Vukomanovic 14/5/13
Key decisions only:		
13. Expiry of call-in period	Date	
14. Report circulated for call-in purposes to Business Management OSC members & copied to Cabinet Members & Head of Service	Name of GSO Date	

ACTION TAKEN UNDER DELEGATED POWERS BY CABINET MEMBER (COUNCIL FUNCTION)

Subject	Targeted Basic Needs Programme Funding Bids
Cabinet Member	Cabinet Member for Education, Children and Families
Date of Decision	29 th April 2013
Date decision comes into effect	30 th April 2013
Summary	This reports authorises the submission of an application to the Department for Education (DfE) Targeted Basic Need Programme Fund (TBNF) : (i) The London Academy; (ii) The Wren Academy; (iii) St Joseph's Infant and St Joseph's Primary School; (iv) Osidge Primary School; (v) a site on Pavilion Way.
Officer Contributors	Val White, Schools, Skills and Learning Lead Commissioner Caylin Joski-Jethi, School Organisation and Place Planner, Children's Service
Status (public or exempt)	Public
Wards affected	Edgware (London Academy), Woodhouse (Wren Academy), Burnt Oak (Pavilion Way), Hendon (St Joseph's), Child's Hill (All Saint's), Brunswick Park (Osidge)
Enclosures	None
Reason for exemption from call-in (if appropriate)	Not applicable
Key decision	No
Contact for further information: Caylin Joski-Jethi, School Organisation and Place Planner, Children's Service Contact details: caylin.joski-jethi@barnet.gov.uk ; 02083593844	

Serial No. 2021

1. RELEVANT PREVIOUS DECISIONS

- 1.1 DPR1681: Applications for 16-19 Demographic Growth Capital Fund, approved 07/06/2012.

2. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 2.1 If successful, the bids would support the strategic objective “all children and young people in Barnet should have the opportunity to achieve their potential, to enable them to become successful adults”, “to expand successful schools to encourage future success and build new schools in areas of growth in the Corporate Plan 2013 - 2016, under the corporate priority ‘To Create Better life Chances for Children and Young People Across the Borough’.

3. RISK MANAGEMENT ISSUES

- 3.1 If there were insufficient primary school places to offer to children of statutory school age in the borough, Barnet would not be able to fulfil its statutory duty under section 14 of the Education Act 1996.
- 3.2 There is a risk that the additional places will not all be needed and the expanded schools will not be at full capacity. This is considered to be low risk as both birth data and GLA projections predict increasing demand across the proposed expansion areas.
- 3.3 There is a risk that, if the Council does not invest in permanent expansions, it would largely continue to be reliant upon temporary additional classes and the Council will eventually run out of viable options for temporary additional classes.
- 3.4 There is a risk that the project costs could escalate and exceed the allocated budget - the projects will be offered at a Gross Maximum Price to control costs; there will also be a provision for abnormalities and contingency held within the budget. The fixed price can only be obtained following an amount of design development and once we have entered into a JCT Contract (this is usually after planning consent has been granted).
- 3.5 The funding model used by the DfE is produced from baseline designs, and there is a likely risk that additional funding above that awarded will be required due to site constraints. Barnet Council will have to meet this additional funding from the growth fund allowance whilst ensuring value-for-money. This has been budgeted into the school’s growth fund.
- 3.6 There is a risk that Barnet Council will not find a sponsor for the opening of the proposed new school on Pavilion Way (which is

required to be an Academy or Free school). This is considered low risk as Barnet is seen as a desirable local authority to work with in providing Academy and Free School education.

- 3.7 It is not considered that the issues involved are likely to raise significant levels of public concern or give rise to policy considerations.

4. EQUALITIES AND DIVERSITY ISSUES

- 4.1 The proposed schools for expansion are chosen as they demonstrate high parental preference, offer high quality provision and are located in areas of high school demand. Permanently expanding these schools will allow more children to benefit from this excellent provision.
- 4.2 The Wren Academy is a co-educational, comprehensive, voluntary - aided (Church of England) secondary Academy. 76% of its pupils belong to ethnic minorities, 22% are eligible for free school meals (FSM) and 21% have special educational needs (SEN), roughly in line with the Barnet average for secondary schools. 14% of its pupils speak English as an additional language which is below the Barnet average for secondary schools (39%). Wren Academy has a Church of England ethos and the admissions policy seeks a balance between those who come from a Christian background and those of other or no faith backgrounds.
- 4.3 The London Academy is a co-educational, comprehensive secondary Academy. 70% of its pupils belong to ethnic minorities and 41% speak English as an additional language, roughly in line with the Barnet average for secondary schools. 43% of its pupils have special educational needs and 41% of its pupils are eligible for free school meals which are above the Barnet averages for secondary schools (23% and 18% respectively).
- 4.4 Osidge is a foundation, mixed primary school catering for students ages 4-11. 11% of its students are eligible for Free School Meals and 13% of its students have special educational needs (lower than the Barnet average of 21% and 21%). 81% of its students are from ethnic minority backgrounds and 63% of its students have English as an additional language (above the Barnet average of 66% and 47% respectively).
- 4.5 St Joseph's is a voluntary-aided (Catholic), coeducational infant and junior school, but is in the process of an amalgamation to an age 3-11 primary school. St Joseph's Infant/Junior schools have 83%-79% of their students belonging to ethnic minority backgrounds (above the Barnet average of 66%). 47%-32% of their students speak English as an additional language, which is in line with the Barnet average for infant, below the Barnet average at junior age (47%). 12%-11% of their students are eligible for free school meals, below the Barnet average of

21%, while 7%-18% of their students have special educational needs, below the Barnet average of 21%.

- 4.6 The proposal to build a new Academy on Pavilion Way would meet the needs of pupils living in the ward of Burnt Oak and those within planning area 1 (including Colindale, West Hendon, Hendon and Burnt Oak). According to the 2010 Indices of Multiple Deprivation, Burnt Oak and Colindale remain the most deprived wards in Barnet by a significant margin.

5. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

Finance and Value for Money

- 5.1 A total of £982 million nationally has been allocated by the DfE to assist Local Authorities to meet basic need of school places. If successful, expenditure will be obtained from this fund.
- 5.2 The level of funding received will be based on the Education Framework Authority's (EFA's) Contractor's Framework rates which are formulaically driven and takes account of baseline designs. Expansions will be funded at the same rate per m² as new build schools.
- 5.3 Any additional funding required throughout the project will come from the Children's Service capital programme.
- 5.4 If successful, increasing the capacity of each school will require an increase in revenue funding for each new cohort of pupils. This will be funded through the Designated Schools Grant in agreement with Barnet Schools Forum.

Staffing

- 5.5 If successful, expanding schools will create new opportunities for both existing and new staff to work in new positions at the school. A restructure of staffing may be required and, if so, trade unions will be consulted in the usual manner at this time.

Sustainability

- 5.6 Investing now in high quality permanent buildings is the best solution to meet the long term demand for places.

Property

- 5.7 Wren Academy and London Academy have a leasehold interest in the land proposed for development. Proposed expansions at Osidge and St Joseph's Infant and Primary schools would be expanded within the

current site: both schools' governing bodies have expressed their approval of proposals to expand the school. A new primary school at Pavilion Way would commit council-owned land for development.

6. LEGAL ISSUES

- 6.1 Under section 14 of the Education Act 1996 Barnet Council has a statutory duty to ensure that sufficient school places for providing primary and secondary education are available in the borough.
- 6.2 The Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment)(England) ("2007 Regulations") which came into force on 21 January 2008 and The School Organisation and Governance (Amendment)(England) ("2009 Regulations") which came into force on 1 September 2009, set out the statutory procedures that must be followed when expanding a school. These statutory duties must be complied with when considering a proposed enlargement of the premises of the school which would increase the capacity of the school by both more than 30 pupils, and by 25% or 200 pupils (whichever is the lesser).
- 6.3 The Education and Inspections Act 2006 and the 2007 Regulations and 2009 Regulations referred to above also set out the statutory procedures that must be followed when extending the age range of a school. These statutory duties must be complied with when considering a proposed alteration of the upper or lower age limit of the school by a year or more.
- 6.4 The Regulations prescribe the stages (consultation with stakeholders, publication of statutory notice by proposer, representation period of 6 weeks, decision making by local authority or school's adjudicator and implementation if approved) that must be followed when statutory proposals are required. Where proposers require capital funding to implement their proposals, they should secure this before publishing proposals. Proposals cannot be approved by 'decision makers' unless the capital funding for their implementation is in place (perhaps conditionally on the proposals being agreed).

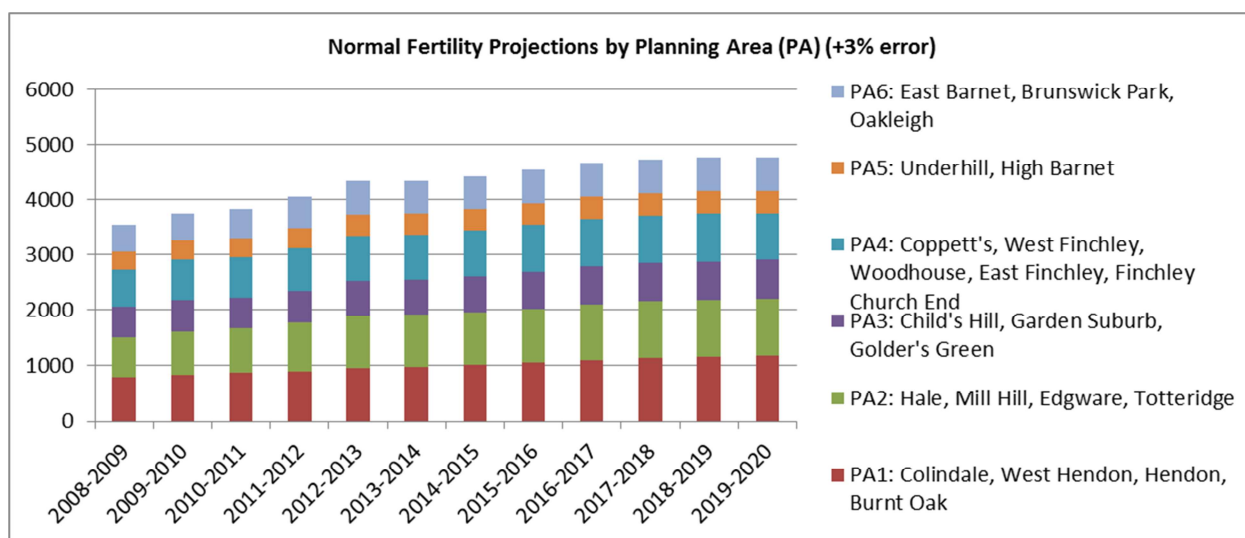
7. CONSTITUTIONAL POWERS

- 7.1 Council Constitution, Part 3, Responsibility for Functions, Section 3.2, details the responsibilities of individual Cabinet Members. The Cabinet Member for Education, Children and Families has responsibility to lead on budget and policy development and implementation in relation to the Children and Young People Plan and associated sub-strategies relating to: education, inclusion, child poverty, early intervention and

prevention, with the objectives of: raising and enhancing standards, providing on-going education and services to schools, continuing early years provision and the youth service.

8. BACKGROUND INFORMATION

8.1 The London Borough of Barnet bases pupil projection numbers on the Greater London Authority's (GLA) pupil projection methodology. For pupil projections at primary level, the borough is split into six planning areas (PA) containing wards. The projections show an increasing number of reception children seeking school places in the borough over the next 7 years.



8.2 The table below shows how many additional forms of entry (FE) are projected to be required in the coming years for reception students. 1FE is equivalent to 30 places per year. Pupil projection figures include a 3% margin to allow for parental preference, under projection and mobility throughout the year. The table takes into account two previously agreed expansions (Mill Hill East and Blessed Dominic/Orion Primary). It does not take into account proposed schools from regeneration projects. It does not take into account any of the proposed expansions/new schools from the Targeted Basic Need bid. Even with previously agreed expansions/new schools, a significant deficit remains to be met.

	Forms of entry required
2013/14	-2.8
2014/15	-5.6
2015/16	-8.6
2016/17	-12.5
2017/18	-14.8
2018/19	-15.8
2019/20	-15.7
2020/21	-15.2

- 8.3 A total of £982 million nationally has been allocated by the DfE to assist Local Authorities to meet basic need of school places by funding provision of new, high quality school places in locations experiencing basic need pressures in order to prepare for further rises in pupil numbers.
- 8.4 Criteria for Local Authorities submitting bids include:
- Evidence of basic need/demand for new pupil places
 - Evidence of how the annual basic need allocations are not sufficient to meet basic need
 - Provision of suitable site/land available to secure opening by 2015
 - High quality schools for expansion (Good or Outstanding Ofsted) and evidence that proposals have been discussed with all schools in the surrounding area
- 8.5 Providing new primary provision at the Wren Academy would meet primary demand within planning area 4. The Wren Academy is an “Outstanding” school (Ofsted, Feb 2011) and has received 529 1st choice applications for 2013-14 (as of 22nd March 2013).
- 8.6 Adding primary provision at London Academy helps meet demand in planning area 2. Primary demand in planning area 2 is particularly high, with 3-4 new forms of entry required over the next 8 years. London Academy is a “Good” school (Ofsted, Nov 2011) and has received 141 1st choice applications for 2013-14 (as of 22nd March 2013).
- 8.7 Permanently expanding Osidge Primary by 1 form of entry would help to meet primary demand in planning area 6. Osidge is a “Good” school (Ofsted, Feb 2012). Permanently expanding St Joseph’s Infant/Junior school by 1 form of entry would help to meet primary demand in planning area 1 and provide more choice for parents seeking a Catholic education. St Joseph’s Infant is a “Good” school (Ofsted 2009); St Joseph’s Junior is an “Outstanding” school (Ofsted, May 2006).
- 8.9 Adding a new primary Academy at Pavilion Way would add an additional 2 forms of entry for reception places in planning area 1.

9. LIST OF BACKGROUND PAPERS

- 9.1 DfE Capital Funding and Programmes Targeted Basic Needs information note: TBN Information Note (last updated 28/02/2013), <http://www.education.gov.uk/schools/adminandfinance/schoolscapital/a00222248/targeted-basic-need-programme>
- 9.2 DfE Statutory Guidance: Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form (last updated 01/02/2010),

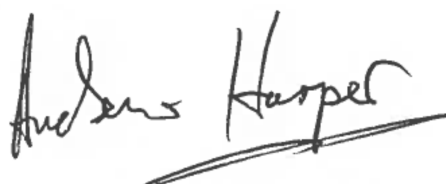
<http://www.education.gov.uk/schools/adminandfinance/schoolscapital/a00222248/targeted-basic-need-programme>

- 9.3 DfE Statutory Guidance: Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals) (last updated 10/02/2010),
<http://www.education.gov.uk/aboutdfe/statutory/g00213197/maintained-mainstream-school-changes>

10. DECISION OF THE CABINET MEMBER

I authorise the following action:

- 10.1 The submission of 5 bids to the DfE for access to the Targeted Basic Need Programme funding.



Signed

Cabinet Member for Education, Children and Families

Date

29 April 2013