

<b>Committee:</b> Overview & Scrutiny	<b>Date:</b> 4 <sup>th</sup> March 2014	<b>Classification:</b> Unrestricted	<b>Report No:</b>
<b>Report of:</b>  Service Head Corporate Strategy & Equality, Louise Russell  <b>Originating officer(s)</b> Vicky Allen, Strategy, Policy & Performance Office, Strategy & Equality		<b>Title:</b>  Tackling the School Places Gap: Pupil Place Planning and the Impact of Academies and Free Schools – Scrutiny Challenge Session  <b>Wards Affected:</b>  ALL	

## 1. **SUMMARY**

- 1.1 This report submits the report and recommendations of the Tackling the school places gap: pupil place planning and the impact of academies and free schools scrutiny challenge session for consideration by the Overview and Scrutiny Committee.

## 2. **RECOMMENDATIONS**

The Overview and Scrutiny Committee is recommended to:-

- 2.1 Agree the draft report and the recommendations contained in it.
- 2.2 Authorise the Service Head for Strategy & Equality to amend the draft report before submission to Cabinet, after consultation with the scrutiny review group.

## 3. **BACKGROUND**

- 3.1 The challenge session took place on 26<sup>th</sup> November 2013. Overview and Scrutiny identified the shortage of school places as a key challenge facing the borough where members are concerned to ensure the council is doing everything it can to increase the supply in line with demand. The aim of the challenge session therefore, was to investigate whether the council's pupil place planning arrangements are effective and what more can be done to meet the school places gap.
- 3.2 The objectives of the challenge session were to answer the following questions:
- What measures has the local authority put in place to plan for school places?

- How is national policy impacting on the options open to the local authority?
- How do we work with schools which are their own admissions authorities to improve accessibility of school places?
- What more can the council do to ensure the pupil place planning arrangements are effective to meet the gap of school places?

3.3 The report with recommendations is attached at Appendix One. Five recommendations have been made:

- **Recommendation 1:** Continue to identify options for expansion of existing schools, whilst retaining existing standards about quality and space;
- **Recommendation 2:** Prioritise the continuation of procuring and developing sites in the borough for schools, the delivery of which can be supported by S106 or (in future) the Community Infrastructure Levy, amongst other funding mechanisms. Explore options for retaining site allocations for community schools maintained by the local authority, as far as possible;
- **Recommendation 3:** Review the provision of information to parents about the schools admissions process and allocation of places, to ensure it is flexible, user-friendly and understandable; and
- **Recommendation 4:** Provide more information and in a timelier fashion to Members about pupil places and admissions criteria to support them in dealing with residents' queries, especially on the day school places are announced.

3.4 Once agreed, the Working Groups report will be submitted to Cabinet for a response to the recommendations.

#### 4. **BODY OF REPORT**

4.1 Please refer to appendix One for the content of the report.

#### 5. **COMMENTS OF THE CHIEF FINANCIAL OFFICER**

5.1 Meeting the Authority's statutory duty with regard to providing sufficient school places will require significant additional resources. Cost of a form of entry (fe) for primary will range from £4.5m - £5m (the latest report to Cabinet in September 2013 suggested that an additional 20 primary fe would be needed over the next ten years) and a secondary fe will range from £3.5m to £4m (with an expected 30 fe required over the next ten years). This pointed to a ball-park range of £195m - £220m to fund the additional capital costs over the next ten years.

- 5.2 Capital funding from the Department for Education will assist, as will the creation of additional places through the establishment of free schools. Nonetheless, DfE capital does not necessarily cover London costs, nor does it cover site acquisition costs.
- 5.3 The recommendations in the report have no direct financial implications, but will assist in the strategy for resourcing the required additional places, each of which will have different circumstances and costs.
- 5.4 The revenue consequences of additional pupils will in most cases be met from additional Dedicated Schools Budget , which varies according to pupil numbers. At present there are General Fund costs in the region of £1m associated with transporting (or providing travel support) for individual pupils where school places are not nearby. Changes to the admissions arrangements will ease that pressure, as will any efforts to provide additional school places.

## **6. LEGAL COMMENTS**

- 6.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions. It is consistent with the Constitution and the statutory framework for the Executive to provide a response.
- 6.2 The Committee is recommended to agree the draft report which sets out the steps taken by the local authority to deal with the gap in school places, pupil place planning and the impact of academies and free schools in the Borough in view of the increased demand for school places as a result of the growing population of children of school age and changes to the arrangements for the establishment of new schools and the presumption that where a need exists, a new school will be either an Academy or a free school.
- 6.3 Section 14 Education Act 1996 places a general duty on local authorities to secure sufficient primary and secondary schools in their area. Schools will be regarded as sufficient if they are sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. Appropriate education means education which offers such variety of instruction and training in view of pupils' different ages, abilities and aptitudes and the different periods for which they may be expected to remain at school, including practical instruction and training appropriate to their different needs.

- 6.4 Section 14 (3A) added by section 2 of the Education and Inspections Act 2006 provides for local authorities to secure diversity of provision of schools and increasing opportunities for parental choice. Local Authorities must consider and respond appropriately to parental representations about school provision in relation to their functions under section 14 of the Education Act. The local authority should give reasonable consideration to parental representations regarding the provision of schools in their area including outlining any proposed action to meet concerns raised about such provision. Under the Information as to Provision of Education (England) Regulations 2008 (as amended) a Local Authority must complete an annual surplus places survey.
- 6.5 In addition, the School Standards & Framework Act 1998, as amended places a duty on the local authority to provide advice and assistance to parents when deciding on a school place and allow parents to express a preference. For each school year the local authority must publish prescribed information about the admission arrangements for each of the maintained schools in its area. Section 19 of the Education Act 1996, as amended, places a statutory duty on the local authority to provide full time education from the sixth day of exclusion for permanently excluded pupils and for pupils who are excluded from a pupil referral unit for a period of more than 5 days. The local authority must make arrangements for the provision of suitable education at school or otherwise for each child of compulsory school age who, for reasons of illness, exclusion or otherwise, would not receive it unless such arrangements were made.

## **7. ONE TOWER HAMLETS CONSIDERATIONS**

- 7.1 Tower Hamlets is the fastest growing local authority in the country so ensure there are enough school places remains a key challenge. With approximately 263,000 residents, the borough's population has increased by around 25% over the last 10 years. The borough also has a higher than average young population, and growth in demand for school place is anticipated to grow at a faster rate than was previously projected. Current projections suggest that demand for reception places will increase by 23% over the next 10 years and by 44% for secondary school places.
- 7.2 Whilst councils retain the duty to ensure that all pupils living within the local authority are guaranteed a school place, their ability to influence the number of suitable school places available has become more restricted due to Government legislation.
- 7.3 A key objective of the challenge session is to explore how the council engages own-admissions schools in order to ensure it can meet this statutory duty. Members were pleased to hear about the work the service does with Free Schools and Academies to get them to support some key joint principles for educating pupils in the borough, with the majority of Free Schools and

Academies following the council’s admissions policy. This has ensured that the admission arrangements are fair and accessible as well as serving the needs of local residents.

**8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

8.1 There are no direct environmental implications arising from the report or recommendations.

**8. RISK MANAGEMENT IMPLICATIONS**

8.1 There are no direct risk management implications arising from the report or recommendations.

**9. CRIME AND DISORDER REDUCTION IMPLICATIONS**

9.1 There are no direct crime and disorder reduction implications arising from the report or recommendations.

**10. EFFICIENCY STATEMENT**

10.1 Reports concerned with proposed expenditure, reviewing or changing service delivery or the use of resources must incorporate an Efficiency Statement. Please refer to the relevant section of the report writing guide.

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**Local Government Act, 1972 Section 100D (As amended)  
List of “Background Papers” used in the preparation of this report**

Brief description of “background papers”	Name and telephone number of holder and address where open to inspection.
none	N/A

**12. APPENDICES**

Appendix 1 – Tackling the school places gap: Pupil place planning and the impact of academies and free schools