

**Report of: Executive Member for Children and Families**

Meeting of:	Date	Wards
Executive	10 March 2016	All

Delete as appropriate	Exempt	Non-exempt

## **SUBJECT: Secondary School Expansion – Public Consultation**

### **1. Synopsis**

- 1.1 Islington has recently undertaken a place planning review which has identified a need for additional places in our secondary schools. This reflects the increase in year six pupils that will now feed into the secondary sector.
- 1.2 We have identified the need to expand places from 2018 and that the primary requirement is for additional boy's places. Following discussions with all of our secondary schools four schools have agreed to expand; three by one form of entry and one by 12 pupils.
- 1.3 Consultation on the proposed expansions ran from the 20th November 2015 to the 10<sup>th</sup> January 2016. Demand for school places relate to all wards as there is only one planning area for secondary schools within Islington, and many pupils travel across the borough to go to their chosen school.
- 1.4 As part of our strategy to increase school places we are committed to working with existing good or outstanding schools, as we know their track record for achievement, understand the pattern of parental preferences and know that this represents good value for money in terms of both capital and revenue budgets. We will continue to monitor the quality and sufficiency of school places

Following discussions four schools have agreed in principle to expansions:

School		Increase in PAN	OFSTED judgement	Year of Change
Central Foundation	Boys	30	Outstanding	2018
Highbury Grove	Mixed	30	Outstanding	2018
Arts and Media	Mixed	30	Good	2017 (temp) 2018 (perm)
St Mary Magdalene	Mixed	12	Good	2017

- 1.5 In order for the council to fulfil its statutory obligation to provide enough school places in the borough,

this report recommends that the four Secondary schools are approved for expansion. Any increase in the PAN (Planned admission numbers) will be concluded in line with the Schools Admission Code

## **2. Recommendations**

- 2.1 It is recommended that the Executive agree to permanently expand Arts and Media School Islington, formally IAMS, Central Foundation, Highbury Grove and St Mary Magdalene from September 2018. Arts and Media School Islington and St Mary Magdalene would temporarily expand from September 2017.
- 2.2 To further review the mix between boys and girls places in other schools in the borough as recommended from the consultation responses. This will include the possibility of exploring the option of changing one of our single sex girls school to becoming co-educational.
- 2.3 To note the responses to the public consultation in Appendix A.
- 2.4 To note that the construction of a new sixth form building for Highbury Grove and expansion proposals for Central Foundation will be subject to separate planning applications. The increases at Arts and Media and St Mary Magdalene do not require planning permission.

## **3. Background**

- 3.1 Rolls in our secondary schools have risen slightly during the last two years. Most of our schools are full in year seven and the place planning report indicates that without expansion we will only have one percent surplus capacity in 2017/18.
- 3.2 Under Section 14 (1) of the Education Act 1996, Local Authorities have a statutory duty to provide sufficient school places. As part of our place planning requirements we are required to demonstrate to the Education Funding Agency (EFA) Department for Education (DfE) that we have sufficient places planned for the future. If we cannot demonstrate that we have sufficient places the EFA could propose to open a new Free school to accommodate the projected pupils
- 3.3 Basic Need Grant funding from the DFE of £3.8m has been allocated to fund growth in secondary numbers for 2018. We are anticipating additional funding for beyond 2018; however we will not be notified by the EFA until April 2016. We have also requested funding from section 106 and CIL contributions. This report does not ask for any decisions to be made about the redevelopment work; however it does ask the Executive to note that that the nominal allocation for Highbury Grove is £2.7m and Central Foundation £1.1m. There are no capital works required for St Mary Magdalene and for Arts and Media School Islington minimal adjustments will need to be made which can be funded from the Local Authorities schools maintenance grant.
- 3.4 All schools within the proposal are currently rated Good or Outstanding by OFSTED. Monitoring arrangements have been put in place to receive assurance that anticipated outcomes for 2016 and beyond will be at or above the national average and/or show a significant increase on 2015 results.
- 3.5 The expansions will be incremental and increase at one intake year at a time. We are secure that this will not have an adverse effect on other schools in the borough.

## **4 Implications**

### **4.1 Financial Implications**

The revenue funding for increased costs in expanded schools is contained within the Dedicated Schools Grant (DSG). DSG funding is received from the Education Funding Agency on a per pupil basis. Funding is then transferred to schools via the Islington Schools Funding Formula. Larger schools are generally more financially viable than smaller schools due to economies of scale.

So far Basic Need funding of £3.8m has been allocated by the EFA for secondary expansions for 2017/18. Further allocations are anticipated in 2018/19 but will not be announced until April 2016. Funding has also been sought from S106 and the Community Infrastructure Levy to contribute towards the costs of these projects.

The costs of expanding provision at Arts and Media School Islington will be met from EFA funding allocations for school maintenance. No capital costs of expanding provision at St Mary Magdalene are expected.

#### 4.2 Legal Implications

The council has a duty to provide and maintain sufficient schools for the provision of secondary education in its area (Education Act 1996, section 14). In the fulfilment of this duty, the council is able to propose changes to maintained schools.

In order to expand schools, as outlined above, the council must carry out a public consultation in line with the Education and Inspections Act 2006 (section 19(1)), the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 and the statutory guidance: School Organisation (Maintained Schools), which was issued in January 2014.

There is a right of appeal to the Schools Adjudicator against a decision to make alterations, for the following bodies:

- The local Church of England diocese; and
- The local Roman Catholic diocese.

Any appeal must be made within 4 weeks of the decision being made.

In order to expand the school, a public consultation must be carried out in line with Section 19 (1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110. A public consultation was carried out between 20<sup>th</sup> November 2015 and 10th January 2016 and the responses are included in Appendix A. Figure 1 sets out the stages of the statutory process for expanding a maintained school

**Figure 1 – The statutory process for making significant changes to schools.<sup>1</sup>**

Stage 1	<b>Publication</b>	Statutory proposal published – 1 day.
Stage 2	<b>Representation (formal consultation)</b>	Must be 4 weeks, as prescribed in regulations.
Stage 3	<b>Decision</b>	The decision-maker (usually the LA) must decide proposals within 2 months of the end of the representation period or decision defaults to Schools Adjudicator (OSA). Any appeal to the adjudicator must be made within 4 weeks of the decision.
Stage 4	<b>Implementation</b>	No prescribed timescale, but must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

Where a local authority carries out a consultation of this nature, it has a statutory duty to consult any body or person which the local authority thinks is appropriate, as well as the local Church of England diocese; or the local Roman Catholic diocese; or the relevant faith group in relation to the school where the proposal involves or is likely to affect a school which has a religious character. As a result we have consulted a wide range of stakeholders, including all other schools in the borough, the local

<sup>1</sup> Statutory Guidance: School Organisation (Maintained Schools), Guidance for proposers and decision makers (January 2014), 9.

Church of England and Roman Catholic dioceses, other local authorities, parents of children at the school and local residents. A full list of stakeholders and the methodology of the consultation is included in Appendix A.

The consultation was publicised on the council's website. Direct contact was also made with numerous stakeholders. Stakeholders and the public were invited to provide supporting comments, objections or any other comments to the council and an online questionnaire was created which allowed residents to submit their feedback online.

The consultation received 7 responses supporting the expansion, and one which was unsure. Responses are detailed in Appendix A. A supporting statement from the Headteachers of three of the schools and two Chairs of the Governing bodies was received in a separate communication. The London Boroughs of Haringey and Camden acknowledged the proposal and had no objections. The London Authority of Hackney supported our proposal.

#### **4.3 Environmental Implications**

There are no additional environmental implications in increasing the rolls.

#### **4.4 Resident Impact Assessment**

4.4.1 The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

4.4.2 A Resident Impact Assessment was completed on 19<sup>th</sup> January and the summary is included below.

4.4.3 Subject to continuing review, the proposals are unlikely to have a significant, negative impact on any particular group or protected characteristic. There is the potential for the fostering of good relations between different ethnicities. There is the possibility that increasing the school rolls will increase the diversity of the schools with more ethnicities being represented and with a more even spread between ethnicities. Based on the current intake there is a diversity of ethnicity across the schools. The numbers of children with English as an additional language ranges from 33% to 48% in the schools that we are proposing to expand. The RIA has an action for Children's services to monitor the ethnicities of pupils at the school after the schools have increased to their new capacities in 2022, to consider whether any ethnic group is disproportionately represented and if so whether there are any consequences arising from this and whether any action should be taken.

4.4.4 No safeguarding risks or human rights breaches have been identified by the RIA.

4.4.5 Any physical changes to the school estate will involve consultation on the building development, where appropriate. The additional pupils will be accommodated in a suitable environment conducive to an exceptional educational experience.

## **5 Conclusion and reasons for recommendations**

5.1 The numbers of pupils in our secondary schools are rising in line with our place planning projections and have risen steadily over time and current projections continue this trend. Without these expansions there is a concern that there may not be sufficient places for secondary aged pupils in the borough.

5.2 The public consultation received support for the proposed expansion.

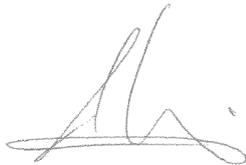
## Appendices

Appendix A –Statutory Consultation for the expansion of Secondary school Places.

Appendix B – Responses: Statutory Consultation for the expansion of Secondary school Places.

Final report clearance:

**Signed by:**

A handwritten signature in black ink, appearing to be 'Tracy Williams', written over a horizontal line.

Executive Member for Children and Families

Date 18/02/2016

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