

# North Somerset Council

# 7

## REPORT TO THE CHILDREN AND YOUNG PEOPLE'S SERVICES POLICY AND SCRUTINY PANEL

**DATE OF MEETING: 23 MARCH 2018**

**SUBJECT OF REPORT: DRAFT EDUCATION PROVISION IN NORTH  
SOMERSET ~ A COMMISSIONING STRATEGY 2018 - 2021**

**TOWN OR PARISH: ALL**

**OFFICER/MEMBER PRESENTING: SHEILA SMITH, DIRECTOR OF PEOPLE  
AND COMMUNITIES**

**KEY DECISION: N/A**

### RECOMMENDATIONS

That:

1. Councillors provide collective and individual comments during the period 5 March – 23 April 2018 on the draft Education Provision in North Somerset ~ A Commissioning Strategy - 2018 – 2021 as part of the public consultation on its contents; and
2. The Panel authorises the CYPS Policy & Scrutiny Panel's School Organisation Steering Group to review the responses to the consultation and to make recommendations, on the Panel's behalf and with their agreement, to the Executive.

### 1. SUMMARY OF REPORT

- 1.1 The draft *Education Provision in North Somerset - A Commissioning Strategy ~ 2018 – 2021* sets out how the Council hopes to work with existing and new partners to deliver the right numbers of school (mainstream and SEND) and pre-school places in the right locations to meet Basic Need. The plan outlines how the Council will engage with schools, academies and Multi-Academy Trusts serving North Somerset, with the Diocese of Clifton and the Diocese of Bath & Wells, with early year's private, voluntary and independent organisations, other education stakeholders and with the Regional School's Commissioner in coequal partnerships.
- 1.2 The draft strategy is submitted for review by this Panel.

### 2. POLICY

- 2.1 Whilst there is no statutory duty on Council's to consult and publish their pupil place strategies, the Education Provision in North Somerset – A Commissioning Strategy ~ 2018 – 2021 has been produced to enable the needs of the district to be strategically planned. The Council aspires to meet the needs and to act in the interest of local children and young people.

### **3. DETAILS**

#### **Part 1 - Principles and roles**

##### Overview

- 3.1 The Education Provision in North Somerset – A Commissioning Strategy ~ 2018 – 2021 provides the strategic overview of how North Somerset Council, acting as the local 'Children's Champion', and working in co-partnership with others, will secure sufficient suitable education and training to meet the reasonable needs of all children and young people in its district.
- 3.2 The Council has a duty to make decisions that meet the best interests of children and communities. The Council will actively work to the principles of: supporting 'Local Schools for Local Children'; the belief that every child should have access to a good or outstanding school in a safe environment; to improve outcomes for children aged under 5; to the expectation that all schools, colleges and other education and training providers will welcome and provide effectively for all children; to a collective moral purpose to enable every child to fulfil their potential and make a full contribution to society; promoting life-long opportunities for students in preparation for their leaving school and thereafter; and to be the champion of children and young people.
- The Council will look to schools and other partners to; provide inclusive and improving education; and add diversity and choice. We will work with schools and other partners to provide the right number of places in the right locations; and provide (when financially possible and within our remit) 21<sup>st</sup> century learning spaces.
- 3.3 In considering the needs of the district the Council will:
- work with stakeholders and partners to understand their needs;
  - provide a robust lead in the allocation of places, challenging and using/asking others to use their powers of direction where appropriate;
  - provide permanent and breach solutions to meet deficits in places at schools with sustainable good and outstanding judgements where there is proven demand and we have the funds to do so; plan for the long-term future and provide projections to assist schools and other partners in their long-term planning;
  - invite education partners to express an interest in expansion to meet basic need when appropriate; when providing Council-funded and delivered buildings, ensure they are flexible and capable of being adapted;
  - lead an ethos of ensuring that all partners are committed to working together to meet the best interests of children and families;
  - act as a brokerage service with new and existing partners who subscribe to North Somerset's learning community principles; and
  - where possible, enable schools to facilitate access to wider community resources.

The Council expects its partners to:

- work together to meet the best interests of children, young people and families;
- provide places for all local pupils (and we will be challenging schools that fail to meet this expectation);
- share and co-ordinate their expansion plans to ensure that together we meet the needs of our communities ;
- provide inclusive learning environments that are good or outstanding; promote life-long opportunities for students to follow on leaving school and thereafter;
- contribute to the community and economy;
- commit to work with their stakeholders;
- deliver a wide offer of teaching, learning and other services;
- ensure collective accountability in the local area with a commitment to work together to meet the best interests of all children, young people and families.

3.4 The draft Education Provision in North Somerset – A Commissioning Strategy ~ 2018 – 2021 can be found at <http://consult.n-somerset.gov.uk/consult.ti>

3.5 Part 1 of the strategy details the operational principles and procedures to be adopted by the Council when carrying out its statutory duties. Part 2, sections 1 – 9, includes the plans for the district for mainstream and local SEND schools. It notes the latest projections and suggests delivery options for new and existing primary and secondary aged school places across the district (via clusters). It looks at the provision of services for vulnerable learners. Section 10 provides a summary of the need for early years places across the district.

3.6 In brief, mainstream cluster wide actions are shown below:

#### **Backwell Clusters**

- To complete the increase in provision at Flax Bourton C of E Primary School from 105 – 210 places for the September 2019 intake
- To progress the creation of a new 210-place primary school at North End, Yatton. The school will have the infrastructure for a 420-place establishment and be delivered by 2020
- To consider a new site and review the need for extra primary provision in the village of Backwell
- To review the need for new secondary places across this cluster that may include an expansion of Backwell School or an option to open a further secondary school and create a twelfth secondary-school cluster area in the centre of the North Somerset district
- To work with Backwell School to review its First Geographic Area in light of new housing developments

#### **Churchill Clusters**

- To progress the increase in provision at Sandford Primary School from a 140 to a 210 place school to meet any new demand from housing developments in Sandford – date to be agreed

- To keep the demand for the schools with significant surplus places in the cluster under review and work to remove significant surplus places if appropriate
- To review place demand for Churchill C of E Primary School and Winscombe Primary Schools in light of new housing developments in these areas
- To review the need for new secondary places across this cluster that may include an expansion of Churchill Academy and Sixth Form or an option to open a further secondary school and create a twelfth secondary school cluster area in the centre of the North Somerset district

### **Clevedon Cluster**

- Following the completion of building upgrades to All Saints East Clevedon C of E Primary School, to change the school's PAN from 17 to 20 places as part of the 2019/20 school admissions consultations
- To look to progress an increase in provision at Yeo Moor Primary School and/or St John the Evangelist Church School if new housing in the area requires this
- To review the need for breach secondary school places at Clevedon School if local demand exceeds supply

### **Gordano Cluster**

- To complete the delivery of extra accommodation at Gordano School to enable it to admit 336 pupils per cohort incrementally from September 2018 onwards
- To work with Gordano School and St Katherine's School to determine solutions for the potential deficit of secondary places in Portishead during and after the life of this plan

### **Pill Cluster**

- To work with Gordano School and St Katherine's School to determine solutions for the potential deficit of secondary places in Portishead during and after the life of this plan
- To support St Katherine's School in discussions to review the school's First Geographic Area if relevant

### **Nailsea Cluster**

- To consider the expansions of schools serving the primary population within the cluster if major developments within the town are progressed
- To consider new school competitions if new major developments within the town are progressed during the life of this plan
- To review the need for breach secondary places for 2020 if local demand exceeds supply
- To work with Nailsea School to expand its intake to meet new demographic demands within the town if required

### **Weston-super-Mare Clusters**

- To work with Haywood Village Academy to support the growth of new places across the Haywood Village development
- To work with Educate Together to support the opening of their new school - Parklands Educate Together Primary School - in temporary accommodation within Locking Parklands by September 2018

- To work with Educate Together to deliver their permanent school buildings – Parklands Educate Together Primary School - by September 2019
- To progress the creation of a new 630-place primary school (no.3) in the Weston East cluster by September 2021
- To note the need for a new Weston Central Primary School, required after the life of this plan
- To review the need for extra provision at St Anne's C of E Primary School (West Wick site), Oldmixon Primary School and Uphill Primary School to meet demand if required
- To determine and commence (funding permitting) delivery options for increased secondary provision/a new secondary school in Weston super Mare from 2021 onwards
- To complete a 300-place expansion project with Priory Community School by the autumn 2018

### **Catholic Cluster**

- The Diocese of Clifton may wish to review the need for new Catholic school places during the life of this plan

3.7 In response to the Special School and Alternative Provision Review that started in 2017, the Council will need to:

### **Special Schools**

- To complete the Council's review of Special Educational Needs and Disability and Alternative Provision (SEND/AP) across the district to inform future delivery options that could include the following delivery options:
  - The relocation and expansion of Baytree Special School to a new site by September 2020 to meet the current and future demand for pupils with Severe and Profound Learning Difficulties (funding and planning permissions permitting)
  - The endorsement or progression of plans for new provision to meet increased; Complex and/or Complex and Severe Learning Difficulties/Mental Health Support. This could be delivered via a New Schools Network of Presumption Free School route
  - To endorse a Free School bid for the delivery of Alternative Provision support and/or a new special school; or to progress future Alternative Provision delivery options at existing schools as determined following the conclusions of the Council's review of SEND/AP provision across the district
  - To support the provision of foundation-stage education on the Westhaven Special School site. Any provision must be via a good/outstanding early years specialist provider
  - To support the creation of a short-stay residential unit/unit for independent training on Special School sites as appropriate/funding permits
  - To oversee the addition of specialist provision in new/existing mainstream schools as funds permit to meet the defined needs of SEND pupils and young people attending mainstream provision
  - To strengthen the remit and decision-making authority of the Out of School Panel
  - To review top-up funding and measure the effectiveness of its use by schools
  - To develop and implement an Alternative Provision Charter and Protocol to be followed by all schools and partners in North Somerset (Fair Access Protocol)

- To provide clarity around the role and remit of the Tuition Service
- To refocus the role of the Voyage Learning Campus and secure agreements to reintegrate pupils from the VLC back into mainstream settings as soon as possible and as appropriate
- To consider the creation of a short-term provision to meet the needs of those pupils unable to attend mainstream school, either full or part-time
- To develop a Commissioning Plan for Alternative Provision
- To develop support for providers and resources to enable schools to work together to meet the needs of pupils in relation to behavioural needs and trauma attachment support
- Work with all establishments offering or capable of offering post – 16 provision across the district to ensure the most effective outcomes for young people aged 16 - 25

3.8 The Early Years Team produce and publish an annual sufficiency report identifying any gaps in sufficiency to meet the Councils' statutory responsibilities. It works with schools and current and new Early Years providers, seeking solutions to ensure there is sufficient, high quality Early Years provision to meet demand. During 2018 – 2021 it will:

- Work with schools, current and new Early Years providers, to seek solutions to ensure there is sufficient, high quality Early Years provision to meet demand.
- Produce and publish an annual sufficiency report, identifying any gaps in sufficiency to meet the Councils' statutory responsibilities.

#### **4. CONSULTATION**

4.1 A first draft of this document was shared with the CYPS Policy & Scrutiny School Organisation Task and Finish Group, internal officer groups and the following external bodies between October – December 2017 :

- Secondary Heads of North Somerset (SHINS)
- Primary Heads of North Somerset (PHANS)
- Special Educational Needs and Disabilities Group (SENDS)
- Education Excellence Partnership Board (EEPB)

4.2 This draft Education Provision in North Somerset – A Commissioning Strategy ~ 2018 – 2021 has been published on e.consult and made available to the following groups:

- Schools/Partners/Governors
- Members via the CYPS Policy and Scrutiny Panel and members Briefing Sheet
- Strategic Schools Forum
- Primary Heads' Association of North Somerset/Secondary Heads in North Somerset/ Heads' Association of North Somerset/Special Heads of North Somerset/School Cluster Groups
- The Education Excellence Partnership Board
- Heads and Chairs Briefing Forum
- Governors Association of North Somerset (GANS)
- Regional Schools' Commissioner

- Council's Corporate Management Team
- D&E Directorate's SLT
- Diocese of Bath and Wells, Diocese of Clifton and the Methodist Group
- Academy Partners via their MAT Trust Boards
- Early Years Partners
- Springboard
- Local Further and Higher Education Partners
- Members of the public and other stakeholders via e.consult
- Town and Parish Councils

4.3 Information events have been advertised for schools, governors and other stakeholders to attend in March and April 2018.

4.4 This consultation will run between the period 5 March 2018 – 27 April 2018. Responses to the consultation will be reviewed by senior managers and the CYPs Policy & Scrutiny School Organisation Task and Finish Group. The final draft strategy will be submitted to the Executive in September 2018.

4.5 The new strategy will cover the period 1 September 2018 to 31 August 2021.

## **5. FINANCIAL IMPLICATIONS**

5.1 There are no direct financial implications as a result of the consultation of this plan.

5.2 All capital expenditure resulting from this plan will be subject to approval in accordance with the Financial Regulations 2017.

5.3 The delivery of new school places is dependent on the provision of sufficient land and capital allocations appropriate to new place needs. Securing new school sites of sufficient size for a proposed new school and clear of physical constraints is complex.

5.4 The capital funds needed to progress all of the schemes contained within the commissioning strategy are not in place. Officers continue to work to secure capital allocations from developers and through external funding sources as available.

## **6. LEGAL POWERS AND IMPLICATIONS**

6.1 The School Standards and Framework Act 1998 sets out how Local Authorities should exercise their statutory duties to secure primary and secondary education to meet the needs of the population in their area. The Education and Inspection Act 2006 enhanced the role of Local Authorities, making them strategic commissioners of services with a mandate to promote high standards for all and greater choice and diversity.

6.2 The Education Act (EA) 1996 Section 14A, added by Section 3 of Education and Inspections Act (EIA) 2006 requires Local authorities to consider and respond appropriately to parental representations about school provision in relation to local authorities' functions under Section 14 of the Education Act 1996. Local Authorities must reasonably consider parental representations regarding the provision of schools and respond accordingly, including outlining any proposed action or, where it is

considered action is not needed, to explain the reasons for this.

- 6.3 The Education Act 2011 maintains the role of Local Authorities as the strategic commissioner of services, but provides greater autonomy of education provision by the encouragement of the establishment of academies, free schools, studio schools and Enterprise Colleges that are independent of the Local Authority. The Act gives Local Authorities *'a critical new role as strengthened champions of choice, securing a wide range of education options for parents and families, ensuring there are sufficient high-quality school places, co-ordinating fair admissions, promoting social justice by supporting vulnerable children, and challenging schools which fail to improve.'*
- 6.4 The Education and Inspections Act 2006 Sections 6A, 7, 9, 10 and 11, amended by Education Act 2011 section 37 and the secondary legislation - The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 provides guidance on the statutory process local authorities must follow when considering inviting proposals / considering proposals to establish new schools. This legislation requires local authorities to give precedence to academy proposals when they consider there is a need for a new school in their area.
- 6.5 The Childcare Act 2016, section 2 allows the Secretary of State for Education to discharge his duty to secure free childcare for qualifying pupils on English local authorities. A failure to provide pre-school places means the Council would be in breach of this duty.
- 6.6 There is a current Government expectation that within the schools' system, academy status will become the norm. Where there is a need for a new school, the first choice will be a new academy or free school.

## **7. RISK MANAGEMENT**

- 7.1 There is no longer a requirement to produce a School Organisation Plan. It is important, however, that the strategic plans and commissioning strategies the Council wishes to pursue in relation to its education provision planning should be shared with schools and other partners. By consulting on proposed strategies, the risk of not providing the right forms of education in the future is mitigated.
- 7.2 In expanding current schools, the Council has to be mindful not to compromise the facilities available to pupils prior to the expansion. This is to ensure that the accommodation available to pupils is not unduly affected and that infrastructure upgrades such as utilities and adequate group spaces are appropriate to the future needs of the school after development. Such changes require significant capital resources.
- 7.3 There is a risk that the capital funds needed to progress all of the schemes contained within the commissioning strategy will not be found. As indicated in 5.3 and 5.4 above, officers continue to work to secure capital allocations from developers and through external funding sources as available.

## **8. EQUALITY IMPLICATIONS**

- 8.1 The strategies within the Education Provision in North Somerset ~ A Commissioning Strategy 2018 – 2021 document provide for the need within North Somerset to providing genuine learning experiences for **all** children and young people 0 – 25 ( pre-schools; schools/academies/post-16/vulnerable learners).

## **9. CORPORATE IMPLICATIONS**

- 9.1 The draft Education Provision in North Somerset ~ A Commissioning Strategy 2018 – 2021 (once agreed) will be the new People and Communities policy base for strategic decisions. The Council has a duty to undertake a review of provision to ensure that the best possible long-term educational outcomes can be achieved for children and young people and that local resources are used effectively across the whole district.

## **10. OTHER OPTIONS CONSIDERED**

- 10.1 To not have a plan and rely on meeting needs reactively across the district.

## **AUTHOR**

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## **BACKGROUND PAPERS**

- Education Provision in North Somerset ~ A Commissioning Strategy 2015 – 2018 – see <http://www.n-somerset.gov.uk/wp-content/uploads/2015/11/education-commissioning-strategy.pdf>