

TITLE	New Primary School Provider Recommendation
FOR CONSIDERATION BY	The Executive on 26 th July 2018.
WARD	None Specific
DIRECTOR	Acting Director of Children's Services – Lisa Humphreys
LEAD MEMBER	Executive Member for Children's Services - Pauline Helliard-Symons

PURPOSE OF REPORT (INC STRATEGIC OUTCOMES)

In accordance with “Improve educational attainment and focus on every child achieving their potential”, the proposals work to secure the timely appointment of Academy Trusts to run three new schools.

RECOMMENDATION

That authority is delegated to the Acting Director for Children's Services, in consultation with the Lead Member for Children's Services, to determine which Academy Trusts should be recommended to the Regional Schools Commissioner to run new primary schools in Shinfield (Shinfield West), Arborfield (Arborfield Green), and Wokingham Town (Matthews Green).

EXECUTIVE SUMMARY

Three new primary schools are in development. The first, in Shinfield, is planned to open in 2019. The others (in Arborfield and Wokingham Town respectively), are on track to open in 2020. This report seeks the granting of delegated authority to the Acting Director for Children's Services, in consultation with the Lead Member for Children's Services, to enable decisions to achieve the timely appointment of Academy Trusts to run the schools, if they are opened as new schools.

The final decision on the appointment of a school provider resides with the Secretary of State for Education. The role of the local authority is to seek expressions of interest, and make recommendations concerning who should run a school to the Secretary of State for Education for their consideration.

Delegation of authority to make recommendations helps ensure decisions can be made in a timely manner. This is particularly beneficial regarding the Shinfield West School to enable the provider to be appointed sufficiently early to ensure the school can be offered as part of the 2019 Reception place admissions round (which commences in the Autumn term 2018). The school had previously been allocated to the Floreat Education Academy Trust, but this trust withdrew its offer of sponsorship earlier this year.

Providing early decisions will ensure that parents have the information they require to make the best decision for their children. It will also guard against too few applicants to make the school viable, which could have an adverse effect on our ability to make suitable local offers to children moving into the new developments.

BACKGROUND

The Council has a duty to ensure there are sufficient school places. Where additional places are required, they can be provided through expansion or the creation of new schools.

The Council has a detailed infrastructure programme which sits alongside the planning strategy as set out in the Council's adopted Core Strategy and Managing Development Delivery Local Plans. The strategy focuses most new housing to four Strategic Development Locations (SDLs). The associated infrastructure plans for each SDL includes for the provision of new schools. In all seven new primary schools are planned across the four SDLs. The first new primary school (Floreat Montague Park) opened in 2016. Three additional new primary schools are due to open over the next few years: in Shinfield in 2019, and in Arborfield and Wokingham Town in 2020.

The remaining three schools (these are second schools in the South Wokingham, South of the M4 and South Wokingham SDLs) will open once it is clear there will be sufficient demand to make the schools viable.

This report seeks the agreement of Executive to secure the appointment of Academy Trusts to run the three new primary schools. Starting the appointment process now will ensure providers are in place if they are opened as new schools.

It should be noted that if school places are proposed to be created through the expansion of an existing community school on to a satellite site, consideration will be subject to a separate report to Executive.

Appointing a provider

Section 6A (the 'free school presumption') of the Education and Inspections Act 2006 (introduced by the Education Act 2011) requires that, where a local authority identifies the need for a new school in its area, it must seek proposals to establish an academy (free school). Only the Secretary of State for Education, acting through their appointed Regional Schools Commissioner, has the authority to enter into Funding Agreements for these schools.

The role of the local authority is therefore not to appoint a provider. A local authority may, however make recommendations concerning who should run a school to the Secretary of State for Education for their consideration.

Delegation of authority is sought Director for Children's Services, in consultation with the Lead Member for Children's Services to make a recommendation on the Council's preferred provider to run the school. This is requested to ensure the decision can be made in a timely manner.

The Shinfield West School in particular needs a rapid process to enable the provider to be appointed sufficiently early to ensure the school can be offered as part of the 2019 Reception place admissions round (which commences in the Autumn term). The school had previously been allocated to the Floreat Education Academy Trust, but this trust withdraw its offer of sponsorship earlier this year. By delegating authority the recommendation can be made weeks before the first opportunity to present the findings to Executive (end September 2018). This enables the RSC to make an earlier decision

so parents can be informed of the successful provider at the earliest possible opportunity. This will in turn enable the successful provider to make their case to parents before they have selected the schools they intend to express preferences for, for their children. Parents will therefore have the information to make the best decision for their children. Otherwise there is a risk that there will be too few applicants to make the school viable, which could have an adverse effect on our ability to make suitable local offers to children moving into the new developments.

While the other schools are not as urgent, there are still good reasons to complete the process to appoint providers in the short term:

- Firstly, the DfE has an expectation that the assessments of each application should be sent to the Secretary of State at the earliest opportunity, including the scoring for each proposal. This assessment will enable the RSC, on behalf of the Secretary of State, to decide on the most suitable proposer to take forward the new free school.
- Secondly, it will be important for any new sponsor to begin to establish a presence in the area, to build trust with parents. It would be preferable for this commence during the 2018/19 academic year, so parents fully understand the school offer before September 2019, the point at which parents receive the admissions brochure and start to consider which schools to express preferences for.
- Thirdly, if alternative models (such as school expansion onto a satellite site) are explored, but are not successful, it will be important to be able to progress the decision quickly to ensure the problems identified above in connection with the Shinfield West project are avoided.
- Finally, the more time the successful proposer has to make arrangements the better these are likely to be. School staff, for example, have fixed resignation dates and if a trust wishes to appoint an existing head to run a new school, starting in the summer term, they will need to be appointed before 31st January so they can give appropriate notice. Later appointment could either compromise the range of candidates or reduce the time a new head can commit before the school opens in September.

BUSINESS CASE (Including Options and Evidence of Need)

This report is concerned with the mechanism to appoint a body to run new schools, not whether or not the schools are required. The schools are a long-standing commitment by the council as part of the infrastructure supporting its adopted Core Strategy. The timing of the schools was dealt with by the Wokingham Borough Primary School Places Strategy 2018 to 2028.

When additional capacity is required there are two ways in which this can be achieved:

- existing schools can expand,
- new schools can open.

School expansion is a reasonable approach where the scale of additional need can be met on existing sites or if a satellite site can be opened. The scale of the SDL developments and the sites of the schools nearby precludes the option of on-site expansion for long-term SDL needs. Expansion on a satellite site is a valid option, provided it is clear this is a genuine expansion and not a new school in all but name. There are a number of tests established by the DfE, including the necessity to serve the same community, the integration of the student and staff body and single governance

arrangements across both sites, which would need to be satisfied though, before this option can be considered.

Two of the three proposed schools (Shinfield West and Matthews Green) are on sites where the nearest schools are separate infant and junior schools on constrained sites (so could not expand sufficiently on their existing sites). While they could satisfy the test of serving the same community to operate satellite sites, they could not satisfy the other requirements (integrated student and staff bodies and single governance arrangements) without major change, as the new schools will be built as single, integrated primary schools.

The third school, in the Arborfield SDL, does offer the prospect of a legitimate satellite site bid (because the community is already served by local primary schools), and officers will explore this further, bringing forward proposals if it is clear they will help create the most sustainable, highest quality local provision.

As noted above when a new school is required, the statutory position is that the Council must follow the Free School Presumption process. The process is prescribed and there is little opportunity to vary from it. Under the Free School Presumption process the Council's role is to offer the opportunity to submit expressions of interest to potential providers (current and possible future Academy Trusts), to evaluate the proposals and to make recommendations to the Regional Schools Commissioner.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	NIL	N/A	N/A
Next Financial Year (Year 2)	NIL	N/A	N/A
Following Financial Year (Year 3)	NIL	N/A	N/A

Other Financial Information

The financial implications of opening new schools are dealt with in other reports. The selection process itself has no direct financial implication.

Stakeholder Considerations and Consultation

The underlying Wokingham Borough Council Primary School Places Strategy 2018 to 2028 has been the subject of ongoing consultation through the Council's on-line consultation arrangements. The individual school proposals will be the subject of statutory consultation exercises.

Resourcing and Timeline for Next Steps
Capital and revenue resources are the subject of separate reports. The Capital costs of the schemes are part of the adopted Medium Term Financial Plan. The revenue costs will fall to the Dedicated Schools Grant Growth Fund, which will be considered by the Schools Forum at an appropriate date.

Communication on Decision Made and Implementation
The decision will be communicated to potential Academy Sponsors through the published new Free School Presumption Specification documents for each school project.

Timeline for Review and Evaluation
The approximate time line is: Shinfield West Primary School – recommendation to RSC – August 2018, decision October 2018, school opens September 2019 Matthews Green Primary School – recommendation to the RSC late Autumn 2018, decision – Spring 2019, school opens September 2020 Arborfield Primary School – recommendation to the RSC (if required) – Spring 2019, decision Summer term 2019, school opens 2020

List of Background Papers
Wokingham Borough Primary School Places Strategy 2018 to 2028.

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