

**For General Release**

<b>REPORT TO:</b>	<b>CABINET 21 JANUARY 2019</b>
<b>SUBJECT:</b>	<b>Education Estates Strategy</b>
<b>LEAD OFFICER:</b>	Robert Henderson - <b>Executive Director, Children, Families and Education</b> David Butler – <b>Director, Education and Youth Engagement</b> Denise Bushay - <b>Head of Service, School Place Planning and Admissions</b>
<b>CABINET MEMBER:</b>	Cllr Flemming, <b>Children, Young People and Learning</b>
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:</b>	
Corporate Plan 2018 - 2022	
The recommendations in this report are in line with the new operating model – ‘getting the basics right for residents’ and will contribute to the delivery of the following key priority / outcome: ‘Our children and young people thrive and reach their full potential:	
<ul style="list-style-type: none"> <li>• Children and young people in Croydon are safe, healthy and happy, and aspire to be the best they can be</li> <li>• Every child and young person can access high quality education and youth facilities</li> <li>• Ensure there are high quality school places for Croydon’s increasing numbers of children and young people.</li> </ul>	
<b>FINANCIAL IMPACT</b>	
The overall cost of the Education Capital Programme is estimated at £53.515m over the period 2019/20 – 2021/22 as set out in Appendix 5a and includes the ESFA funded new special free school - Addington Valley Academy (on the Timebridge site). This project will be fully funded by the ESFA at a budget of £13.510m.	
<b>KEY DECISION REFERENCE NO.:</b> 0119CAB	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below:

**1. RECOMMENDATIONS**

The Cabinet is recommended to:

**School Place Planning**

1.1 Note the review of mainstream school pupil projections undertaken and

submitted to the Department for Education (DfE) in July 2018 – available places vs SCAP18 forecasts – Appendix 1.

1.2 Early Years Provision

Note publication of the 2018 Childcare Sufficiency Assessment report – Appendix 2.

1.3 Alternative Provision / Pupil Referral Unit (PRU)

1.3.1 Note the intention that the Cabinet Member for Finance and Treasury in consultation with the Leader will approve the lease of land from John Ruskin College and to delegate authority to the Executive Director, Children, Families and Education to agree terms and sign the lease.

1.3.2 Note the entering in of a licence for refurbishment of the existing Cotelands PRU building at John Ruskin College.

Special Educational Needs and Disability

1.4 Agree the proposed Special Educational Needs and Disability (SEND) School Place Supply Strategy (at paragraph 3.44, Table 1) for the next 3 academic years – 2019/20 to 2021/22.

1.5 Consider the responses to statutory consultation and approve the proposed extension of the age range from 4 – 11 to 2 - 11 for Red Gates School from September 2019 – Appendix 3.

1.6 Note that the ESFA commissioned Croydon to lead on the delivery of the new special free school - Addington Valley Academy (Timebridge site) which will be fully funded by the ESFA at a budget of £13.510m (paragraphs 3.29-3.31).

1.7 Note update on the partnership with Croydon Further Education (FE) college to establish new local post 16 places in an SEN Centre of Excellence (paragraphs 3.32-3.33).

1.8 Note the continued planned expansion of secondary autism Enhanced Learning provision at Oasis Arena. (paragraph 3.34).

**School Admissions**

1.9 Agree to recommend to full Council the proposed changes to the admission arrangements for the 2020/21 academic year – Appendix 4 (*Consultation outcomes report*)

- Acceptance of first preference offers as part of the coordinated admission arrangements
- Pan-London primary and secondary coordinated admissions schemes and post offer process (main rounds of admissions)
- The processing of overseas applications for admission to school within the normal admissions rounds (excluding Crown servants)

1.10 Agree to recommend to full Council that it determine the proposed Community schools Admission Arrangements for the 2020/21 academic year (Appendix 4a),

- adoption of the proposed Pan London scheme for co-ordination of admissions to Reception and Junior schools – Appendix 4b; and
- adoption of the proposed Pan London scheme for co-ordination of admissions to secondary schools – Appendix 4c.

**Capital Programme**

- 1.11 Approve the Capital Programme as set out in Appendix 5a.

**School Maintenance and Compliance**

- 1.12 Note the detailed proposed Schools' Maintenance Plan for 2019/20 of £2m as set out in Appendix 5 and delegate authority to the Executive Director, Children, Families and Education to vary the plan to reflect actual prices and new urgent issues that may arise, including authorising spend against the allowance for emergency and reactive works. The Executive Director, Children, Families and Education shall report back to members in respect of any exercise of such authority.
- 1.13 Note progress made on fire safety works in Croydon community schools (paragraphs 5.17 – 5.21).

**2. EXECUTIVE SUMMARY**

- 2.1 The Department for Education (DfE) is responsible for the policy and statutory framework and makes financial contributions to local authorities' costs in delivering school places. Local authorities are statutorily responsible for ensuring that there are sufficient school places, including early years and childcare places in their area. They are also required to co-ordinate the normal admissions round for primary and secondary schools in their area and ensure that school buildings meet the minimum standard.
- 2.2 This report sets out Croydon's strategic direction for three stages of education: Early Years, Primary and Secondary, including Pupil Referral Unit and Special Educational Needs and Disability. The Education Estates Strategy covers: School Place Planning; School Admissions; and Schools' Maintenance & Compliance.
- 2.3 The purpose of the report is to obtain Cabinet's approval for the recommendations/proposals and the associated budget.

Early Years Provision

- 2.4 Local Authorities are required to 'report annually to elected council members on how they are meeting their duty to secure sufficient childcare, and make this report available and accessible to parents'. Croydon's Childcare Sufficiency Assessment 2018 report indicates that there are sufficient early years and childcare places for families. The Sufficiency Assessment report has been published and can be accessed via <https://www.croydon.gov.uk/community/childcare/cs-assessment>

and attached as Appendix 2.

Primary and Secondary Education

- 2.5 Local authorities have a duty to ensure that sufficient schools are available for their area to provide primary and secondary education. Pupil projections for Croydon indicate sufficiency of school places borough-wide for the Primary and secondary educational phases for the next 3 years.

Alternative Provision / Pupil Referral Unit (PRU)

- 2.6 The Council has a duty to make arrangements for the provision of suitable education at school or otherwise for each child of school age who for reasons of illness, exclusion or otherwise would not receive it unless such arrangements were made.

*Lease of land from John Ruskin College*

- 2.7 The Council will be required to take a lease of the land from John Ruskin for the relocation of the Springboard Tuition Service with a 15 year term and thereafter 5 year mutual break clause. This lease will run co-terminus with the existing Cotelands lease which was already in place, expiring in 2104. Croydon will be responsible for paying an annual rent of £7,500 (increasing with CPI every five years) together with a service charge to cover grounds maintenance and statutory services, and other associated costs including utilities and business rates.

The plan is to use a 2 phased approach for transferring pupils to the new location in January 2019 in the Cotelands building and new modular unit in April 2019. Cabinet is asked to agree the recommendation for the lease of land.

- 2.8 Special Educational Needs and Disability (SEND)

*Red Gates School*

- 2.9 Local authorities are required by legislation to secure early education places for three and four year olds, as well as disadvantaged two year olds, until the child reaches compulsory school age. During November 2018, Croydon consulted on a proposal to extend the age range (from 4 – 11 years to 2 – 11 years) of pupils at Red Gates School from September 2019.

- 2.10 The results of the consultation have been analysed and overall, of the total of 24 responses received a majority of respondents (71%) supported the proposed extension of the age range for Red Gates School. The proposed change will enable the school to provide specialist education for children with learning difficulties from 2 years old, supporting the Local Authority in meeting duties to provide an offer for 2, 3 and 4 year olds. A detailed consultation outcomes report, including the Council's response to issues is attached at Appendix 3. Cabinet is recommended to approve the proposal to extend the age range at Red Gates School.

**School Admissions**

- 2.11 Proposed changes to Admission Arrangements for 2020/21 academic year  
The Council is statutorily responsible for ensuring that admission arrangements are compliant with the School Admissions Code, 2014. A key part of this is a requirement to determine the Admission Arrangements for its schools annually.

2.12 Within the statutory timeframe, Croydon council sought views of stakeholders on the following proposed changes to admission arrangements for community schools and the PAN-London coordinated admissions schemes for the 2020/21 academic year:

- Acceptance of first preference offers as part of the coordinated admission arrangements
- Pan-London primary and secondary coordinated schemes and post offer process (main rounds of admissions)
- The processing of overseas applications for admission to school within the normal admissions rounds (excluding Crown servants)

2.13 Overall we received a total of 96 responses:

- All respondents answered the question relating to acceptance of first preference, of which the majority (69%) support of the proposed change
- 69 respondents answered the question relating to removal from waiting list for higher preference, of which (68%) support the proposed change
- 65 respondents answered the question relating to processing of overseas applications, of which 46% do not support the proposed change, and 19% not sure.

A detailed consultation outcomes report is attached at Appendix 4.

2.14 Cabinet is asked to agree the proposed changes and to recommend that full Council determine the proposed Admission Arrangements:

- The proposed admission arrangements for Croydon community schools is attached at Appendix 4a
- The proposed Pan-London scheme for Co-ordination of Admissions to Reception and Junior is attached at Appendix 4b
- The proposed Pan-London Scheme for Co-ordination of Admissions to secondary schools is attached at Appendix 4c

### **Schools' Maintenance and Compliance**

2.15 The Council has a duty to ensure that its school buildings meet the minimum standard and premises are maintained so that: they are safe, warm and weather tight and provide a suitable learning environment.

#### Schools' Maintenance Plan

2.16 The Schools' Maintenance Plan (Appendix 5) contains the planned repairs and maintenance programme for two years (2019/20 – 2020/21). As part of the maintenance programme for 2019/20, updated condition surveys of the Council community schools will be undertaken to set the maintenance programme of these assets over the next 5 years. The outcomes of these surveys will then inform the programme of maintenance works between 2020 and 2025 including those that have already been identified.

2.17 As in previous years and as part of forward planning we are requesting an allowance of £2m for 2021/22, however this may change dependent on the outcomes of the new surveys.

2.18 Physical internal re-modelling works are required at Kenley Primary School and St Giles School to address safeguarding issues and operational requirements,

and the installation of a new kitchen at Elmwood Juniors School. These projects will be fully funded through underspend from the overall Education Capital programme budget.

### 3. DETAIL

#### **School Place Planning**

- 3.1 Under section 14 of the Education Act 1996, every local authority (LA) has a statutory duty to provide sufficient school places for all pupils in its area. This includes the planning and reviewing of school places, securing diversity and increasing opportunities for parental choice to ensure the needs of the community are met, as well as managing surplus places.
- 3.2 To fulfil its duties, Croydon forecasts the future demand for school places by splitting the borough into educational planning areas (based on groups of schools): six for the primary phase and two for the secondary phase to reflect reasonable travel distances. In conjunction with our regular review of the demand for school places, we commission the Greater London Authority School Roll Projection service to undertake an annual forecast of the number of pupils who will need a school place in the future. The forecasts of pupil numbers are also essential in providing the Department for Education (DfE) with information to support basic need capital allocations.
- 3.3 Available Places vs SCAP18 forecasts \_ (Appendix 1)  
Based on Croydon's recent School Capacity (SCAP) Survey and forecasts of pupil numbers submitted to the DfE in July 2018, our latest estimates suggest that there will be sufficient places in Croydon primary and secondary schools to accommodate children for the next 3 years. Currently, there is a higher level than necessary of spare capacity / surplus places in some of the primary school planning areas. We are currently working with the relevant schools to manage this spare capacity / surplus places.
- 3.4 Forecasting demand for school places  
In conjunction with our regular review of the demand for school places, we commission the Greater London Authority School Roll Projection service to undertake an annual forecast of the number of pupils who will need a school place in the future. These projections are used by the Council to inform its annual return (SCAP) to DfE for assessment of basic need allocation; and to develop strategies to make sure that the right number of places are in the right locations at the right time, which include either creating additional school places or removing places.
- 3.5 A variety of data sources are used to forecast future demand for places in the primary educational phase, such as, historical trends in admissions, current numbers on roll from the school census data and the historic birth rate. For the secondary educational phase, the main sources of data used are the current numbers on roll and historic trends in admissions from Year 6 in primary schools. Child yield – the likely number of pupils that will require an additional school place - from planned housing developments across the borough is also incorporated in our forecasts of future demand for school places.

### 3.6 School Places Supply Strategy

In discharging its duty for sufficiency of school places, the Council works in partnership with different education providers – Academy Trusts/Free Schools and Diocesan Authorities – to determine the need for places and to secure diversity in educational provision across the borough, taking into account parental choice. The need for additional school places is determined by assessing the capacity of existing schools and forecasting future demand for places.

3.7 The demand for school places is unevenly spread across the planning areas, with pressure in some areas and spare capacity in others. If the demand for school places increases, the Council can expand existing schools on a temporary or permanent basis, or new schools can be established through the free school presumption. If demand decreases, the number of places at existing schools can be reduced through an in-year variation of the schools' admission number via the Office for Schools' Adjudicator, Education and Skills Funding Agency or through consultation on the admission arrangements.

### 3.8 Changes in demand for school places

The growth in Croydon's population over the last decade has put pressure on primary school places, necessitating a huge expansion in capacity. Several new schools were opened and therefore additional places were provided to meet the growth in demand. There has been a 5% drop in birth rate in 2013 which has resulted in falling school rolls and a higher level than necessary of surplus places in some of the educational planning areas. It is advisable to have between a 5-10% surplus of places to deal with fluctuation in population, unexpected growth in demand, in-year applications and parental preference.

3.9 A large portion of funding received by schools is directly related to the number of pupils attending the school. Too many vacancies in schools mean that schools will not receive the maximum revenue possible. Therefore we are monitoring the admission numbers in schools with falling rolls and working with these schools to manage surplus places through variation of their Published Admission Number. .

3.10 Croydon has a diverse range of educational provision, as outlined below:

- A total of 88 primary schools, of which:
  - 29 are maintained / Community schools
  - 59 are non-maintained: 46 Academies, 2 Free Schools and 11 Voluntary Aided schools
  
- A total of 23 secondary non-maintained schools, of which:
  - 6 are Voluntary Aided schools
  - 16 are Academies
  - 2 Free schools

### **Early Years Provision**

3.11 Under the Childcare Act 2006 local authorities have a statutory duty to secure sufficient childcare for the needs of working parents/carers in their area. The Council's duties around inclusion birth to five are detailed in the

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Children and Families Act 2014, (section 2 Childcare Act 2016)

- 3.12 Croydon has a rich and varied provision of funded early years places which work together to offer flexible packages of care for parents/carers. There are currently 9,950 day care places for pre-school children aged 0 to 4 years. This is comprised of 6,703 nursery places in private settings, 2,223 via school provision and 1,024 with childminders.
- 3.13 Croydon's performance in the Early Years Foundation Stage at age 5 has improved significantly from 2017 (70%) to 73% and is now above our statistical neighbours, (72%) the national average of 70% and in line with London (73%).
- 3.14 The Early Education and Childcare: Statutory Guidance for Local Authorities, sets out that the local authority should report annually to elected Council Members on how they are meeting their duty to secure sufficient childcare and make this report available and accessible to parents. Cabinet is asked to note Croydon's Childcare Sufficiency Assessment 2018 report can be accessed <https://www.croydon.gov.uk/community/childcare/cs-assessment> and is attached at Appendix 2.
- 3.15 The Early Years Sufficiency function has been transferred to the Education and Youth Engagement Directorate, Children, Families and Education Department as of 1 October 2018.

### **Alternative Provision / Pupil Referral Unit (PRU)**

- 3.17 Under Section 19 of the Education Act 1996 Local Authorities have a statutory duty to arrange suitable education for permanently excluded pupils and for pupils who – because of illness or other reasons – would not receive suitable education without such provision. Education outside of school, when it is arranged by Local Authorities or schools is called alternative provision. In such circumstance, pupils may be admitted to a Pupil Referral Unit (PRU).
- 3.18 Alternative provision for primary age pupils is provided by the Beckmead Family of Schools, which is Croydon's specialist Social Emotional and Mental Health (SEMH) provision.
- 3.19 Croydon has a single maintained PRU - Saffron Valley Collegiate (SVC) - which operates over five sites that provides places for secondary age pupils who have been permanently excluded from mainstream; have been offered places because they are considered being at risk of permanent exclusion; or who have been assessed as being emotionally based school refusers (EBSR).
- 3.20 The PRU provides places for secondary age pupils who have been permanently excluded from mainstream; have been offered places because they are considered being at risk of permanent exclusion; or who have been assessed as being emotionally based school refusers (EBSR).
- 3.21 The Council in conjunction with SVC have been working on a plan to reduce the number of sites from five to four by relocating and re-providing the Springboard Tuition Service at one of its four other sites from September 2018. However it has not been possible to meet the date due to various legal issues.

Cotelands PRU which is located within the boundary of John Ruskin College is being renovated to accommodate the increase of pupils which will be transferred to the new location, works are due for completion by 21 December 2018. The 2nd phase of the programme is the installation of a new modular building which will also be constructed within the boundary of John Ruskin College on an area of leased land. The required planning application has been submitted and awaiting validation, practical completion is programmed for a April 2019.

### Lease of land from John Ruskin College

- 3.22 In July 2018, Cabinet agreed to the relocation of Springboard Tuition Service – Pupil Referral Unit - PRU - and delegated authority to the Interim Director, Children, Families and Education in consultation with the Director of Finance and Cabinet Member for Children, Young People and Learning to make decisions relating to capital funding required for the relocation. Cabinet agreed to commission the necessary works, subject to agreement from the site owner, including feasibility and design development; and capital funding for this relocation. The estimated cost was in the region of £500k.
- 3.23 The Council will be required to take a lease of the land from John Ruskin for the relocation of the Springboard Tuition Service for pupils of statutory school age who unable to access mainstream education. This lease will run co-terminus with the existing lease for Cotelands PRU building, expiring in 2104. Croydon will be responsible for paying an annual rent of £7,500 (increasing with CPI every five years) together with a service charge to cover grounds maintenance and statutory services, and other associated costs including utilities and business rates. A break option of 15 year term and thereafter 5 year mutual break clause is mutually accepted, to provide flexibility should this service no longer be required in the future. An associated licence for alterations for enabling works at the existing Cotelands PRU is also required pursuant to the relocation
- 3.24 In addition to the estimated cost of £500k agreed by Cabinet in July 2018, we have now received confirmation of costs of £700k which include the purchase of the modular unit and associated surveys, design, contractor, Fittings, Furniture & Equipment and Information Communication Technology for both the refurbishment of the Cotelands building and erection of the new modular unit on the lease of land at John Ruskin College. The relocation of the Springboard Tuition Service to the Cotelands site at John Ruskin College will increase capacity enabling Saffron Valley Collegiate to have two cohorts of similarly vulnerable pupils on one site. This will reduce their operating costs over time. The relocation will also enable the premises previously utilised by Springboard to be used to provide much needed additional alternative provision places for primary age pupils.

### **Special Educational Needs and Disability (SEND)**

- 3.25 The Council as an education authority has specific duties in relation to provision of education for children with special educational needs (SEN). The main duties include: to identify whether a child for whom they are responsible has SEN; and to assess a child who in their opinion has SEN. If the assessment shows that it is necessary to make an EHCP: determining the child's needs and the

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educational provision required and to ensure the specific provision set out in the Plan is provided. In addition, in carrying out its duties under Part 3 of the Children and Families Act 2014, local authorities must have regard to the importance of providing children and their parents and young people with the information and support necessary to participate in decisions.

- 3.26 Croydon's vision for young people with special educational needs and disabilities is that these young people are included within the community of Croydon and are given the same opportunities as others to access education to live fulfilled lives, gaining employment and living as independently as possible.
- 3.27 On 16<sup>th</sup> December 2018, the Education and Skills Funding Agency announced additional DSG high needs funding allocations across all local authorities for 2018-19 and 2019-20 to help local councils to manage pressures. They also announced additional Special Provision Capital Funding of £100m in 2019/20 (total value now £365m), to create more specialist places in mainstream schools, colleges and special schools. The specific amount for each LA will be published in due course.

### St Nicholas Special Primary School

- 3.28 Construction has begun on the existing school site in Summer 2018 to expand St Nicholas school by 2FE. The new purpose built building will encompass this expansion and the existing 2FE provision to create a new 4FE school. The new building is due to be completed in April 2020 and the demolition of the existing buildings on site and all external works are due to be completed by September 2020. In the interim and prior to completion, to accommodate demand for places at St Nicholas, temporary accommodation has been leased on the Canterbury Mills site. Twenty children joined two reception classes on this site in September 2018; it is intended that in September 2019 further children join new reception classes run from this site.

### Croydon new Special Free School

- 3.29 To meet increased demand for special school places for children with autism and learning difficulties (aged 2 -19) the Council successfully bid for capital funding from the Department for Education via the Education and Skills Funding Agency (ESFA) to develop a new free special school.
- 3.30 The ESFA commissioned Croydon to lead on the delivery of the new special free school - Addington Valley Academy – a budget of £13.51m has been agreed by the ESFA. The school will offer 150 places to children aged 2-19 years, with autism and learning difficulties, with the aim of providing a local pathway from the early years to adulthood. The proposed date for the first phase of the school to be opened is September 2020.
- 3.31 Croydon is currently working closely with the ESFA and the Orchard Hill College Academy Trust (the provider) on the feasibility study for the new school and are proposing to submit a planning application, with construction of the new school commencing in early summer 2019 ready for the school to be open in September 2020.

- SEN Post 16 Centre of Excellence
- 3.32 To provide a specialist further education pathway for young people with SEND and to improve outcomes for these young people, Croydon Council and Croydon FE College are working in partnership to take forward development of a post 16 SEN Centre of Excellence providing education pathways for young people with moderate/severe and profound and multiple learning difficulties. This will include a comprehensive specialist offer that provides Entry Level and accredited pathways to employment, volunteering, supported engagement and independence for Croydon young people in their community. Investment to adapt the existing Croydon College building to provide effective accommodation has been subject to feasibility, with a cost of £3.3m, the plan is for the provision 75 places from September 2022.
- 3.33 From 2019 Croydon Council and Croydon College are planning education provision for young people with complex SEN who are post 19 in temporary accommodation within the Croydon College estate.
- Enhanced Learning Provision
- 3.34 Croydon Council will maintain current Enhanced Learning Provision (ELP) places, implement agreements with providers and establish an effective programme for monitoring quality of education and outcomes for children. The Council will work with providers to provide an enhanced learning specialist offer which is underpinned by practitioners who are suitably qualified and has flexibility to provide for the fluctuating number of children for whom this is a suitable education pathway.
- 3.35 Consultation on proposal to extend the age range at Red Gates School  
Croydon consulted on the proposal to extend the age range of pupils at Red Gates School (from 4 – 11 years to 2 – 11 years of pupils) from September 2019. The statutory consultation took place from 1 November to 29 November 2018. Red Gates School is a maintained primary special school for boys and girls who have severe learning difficulties (SLD). The proposed change will involve transferring the management of the Willow Trees nursery class from Gilbert Scott Primary School to Red Gates School.
- 3.36 Extension of the age range will enable Red Gates School to provide specialist education for children with learning difficulties from 2 years old, supporting the Local Authority in meeting duties to provide a 2 year old and 3 and 4 year old offer.
- 3.37 Analysis of responses to the consultation  
A consultation document, including a questionnaire was used as a basis of informing stakeholders, including parents/carers about the proposed change. A range of modes and methods of communication were used to inform and facilitate feedback from stakeholders e.g. Schools E-Bulletin; Email; Social Media and website. Stakeholders were given the opportunity to express their views in writing – via completion of questionnaire; email; and post.
- 3.38 Overall, a total of 24 responses were received regarding the proposed extension of the age range for Red Gates School. A detailed consultation

outcomes report, including the Council's response to issues raised is attached at Appendix 3. The majority of respondents support the proposed change. The results are:

- 71% in support of the proposed change
- 17% do not support the proposed change
- 8% not sure
- 4% were not affected/did not want to answer questions about the proposal

3.39 Respondents were mainly concerned about the following issues;

- The negative impact the expansion of Red Gates School could have on Gilbert Scott Primary School.
  - An increase in traffic when there is already a large amount of vehicles on/near the site.
  - A lack of parking.
- Cabinet is asked to approved the proposal to extend the age range of pupils at Red Gates School

3.40 Special Provision Fund Allocation

Croydon's allocated special education provision fund is £968,855 annually; with a total of £2,906,565 being allocated by 2020/21. The allocation is based on projected population growth. The changing pattern of need and increased number of children at Red Gates School have led to a need to review the suitability of the buildings for provision of more personalized teaching and learning. The special education provision fund has been allocated to the feasibility and re-modelling of Red Gates School as a consequence. Architects are to be appointed to undertake the feasibility in January 2019.

3.41 Croydon's Dedicated Schools Grant High Needs Block was overspent at the end of the financial year 2017/18 by £5.7m attributable to increase in numbers of children with an EHCP and an over-reliance on independent school sector placements. The latter being principally due to insufficient local specialist education places. A key focus of the approach to application of the special provision fund will be invest to save.

3.42 The five year High Needs Block strategy identifies two key strands of development relevant to school place planning. Firstly the expansion of specialist education in local state-funded special schools and FE colleges to reduce reliance on the independent sector and increase local placement and secondly to increase placement in mainstream schools, with the right provision in place without the need for an EHC Plan whenever possible. The aim is to ensure that investment is focused on development of a coherent pathway that leads to increased numbers of young people with SEN engaged in employment and/or living independently with support in or near their local community. This strategy has been informed by the PPL Demand and Capacity Review (2017).

3.43 By way of further development and to inform financial and place planning the Council is reviewing the revenue funding of local state-funded specialist education placements. This work will include bench-marking against other Local Authorities

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3.44 Table 1 – Proposed 3 year SEND school places supply strategy

1FE (form of entry) for Special schools usually equates to one class of 8 pupils

Academic Year 2019/20	Academic Year 2020/21
<p>Existing schools:</p> <ul style="list-style-type: none"> <li>• 1FE proposed permanent expansion of St Nicholas (age 4-11)</li> <li>• Feasibility and review of suitability of building for delivery of personalized education pathways at Red Gates Primary School</li> </ul> <p>Post 16 SEN provision to be developed in partnership with Croydon College on current site – dependent on outcome of capital bid. Proposed numbers from September 2018/19 – 15 post 19 places.</p> <ul style="list-style-type: none"> <li>• Review and upgrade of aspects of Priory site to ensure suitability of outdoor and indoor learning spaces for personalized education and safety of young people attending (i.e. perimeter fence); internal spaces</li> </ul> <p>Oasis Arena ELP additional 9 places</p> <ul style="list-style-type: none"> <li>• Enhancement of existing ASD ELP (e.g. Meridian) provision to ensure equity of offer.</li> <li>• Review suitability of secondary specialist arrangements – recommendations to education estates board on completion of the review of High Needs Top Up for specialist education.</li> <li>• Review early years specialist provision.</li> </ul>	<p>Proposed new Free Special School:</p> <ul style="list-style-type: none"> <li>• 150 places for boys and girls with Autism and Learning Difficulties (age 2-19) – proposed site Timebridge, Fieldway. Opening in September 2020 with 80 places increasing to 150 over the period up to Sept 2023</li> <li>• St Nicholas continued expansion X 2 classes each year for 6 years from 2020/21</li> <li>• Implementation of outcome of Red Gates and St Giles special school feasibility studies.</li> <li>• Post 16 SEN provision at Croydon FE College 75 from September 2020.</li> <li>• Review suitability and sufficiency of PMLD/physical disability places (e.g. St Giles) – equipment changes and arrangements for building storage etc.)</li> <li>• Review Alternative Provision</li> </ul>

#### 4. School Admissions

- 4.1 In line with the Schools Admission Code, 2014, Admission Authorities, including Local Authorities are responsible for ensuring that admission arrangements are compliant with the School Admissions Code. This includes consulting on proposed changes to admission arrangements annually and at least every 7 years where there have been no changes. In addition, Admission Authorities are required to determine their admission arrangements on an annual basis. The admission arrangements include the admission criteria (oversubscription criteria) - the priority order used to decide who to admit to a school if there are more applications than available school places.
- 4.2 The annual school admissions arrangements are part of the Council's policy framework and as such require determination by the full Council. The Council is required by statute and regulations to approve its admissions policies for the schools it is responsible for the 2020/21 academic year. Accordingly Cabinet is requested to recommend to full Council that it determine the proposed Admission Arrangements for Croydon's community schools for the 2020/21 academic year (Appendix 4a).
- 4.3 The Council is also responsible for having in place a scheme for coordinating admission arrangements. Croydon has participated in a Pan London arrangement for the Co-ordinated Admissions rounds for both primary and secondary applications for several years.

##### Co-ordinated Scheme

- 4.4 The Co-ordinated Scheme is the process by which local authorities co-ordinate the distribution of offers of places for schools in their area. All local authorities are required to co-ordinate the normal admissions round for primary, junior and secondary schools in their area. Schools can take in-year applications directly from parents, provided they notify their local authority of each application and its outcome.
- 4.5 Croydon has participated in a Pan London arrangement for the Co-ordinated Admissions rounds for both primary and secondary applications for several years. This arrangement allows all participating boroughs to exchange data and facilitate choice for parents by offering places across borough boundaries within the same parameters and timetable. The Cabinet is recommended to approve the arrangement for the 2020/21 academic year to allow this participation to continue - Appendix 4 b & 4c.

##### Admission Authority

- 4.6 The Council is the Admission Authority for Community schools and is therefore responsible for determining the Admission Arrangements for these schools. Admission Arrangements must be determined annually for the next education year. The Admission Arrangements are part of Croydon's policy framework and must be determined by the full Council. Appendix 4a

##### Consultation on proposed Admission Arrangements for 2020/21 academic year

## APPENDIX 2

4.7 Admission Authorities are required to consult on their Admission Arrangements for a minimum of 6 weeks between 1 October 2018 and 31 January 2019. The Council consulted on its 2020/21 Admissions Arrangements for Community schools from 18 October 2018 to 06 December 2018. There are three proposed changes to the admission arrangements for the 2020/21 academic year:

### 4.7.1 Acceptance of first preference offers as part of the coordinated admission arrangements

All 96 respondents answered this question

Response	Number	% of respondents
Support	66	69%
Do not support	11	11%
Not sure	17	18%
Do not wish to answer/not affected	2	2%
<b>Total</b>	<b>96</b>	<b>100%</b>

### 4.7.2 Pan-London primary and secondary coordinated schemes and post offer process (main rounds of admissions)

69 of the 96 respondents answered this question.

Response	Number	% of respondents
Support	47	68%
Do not support	7	10%
Not sure	15	22%
Do not wish to answer/not affected	0	0%
<b>Total</b>	<b>69</b>	<b>100%</b>

### 4.7.3. The processing of overseas applications for admission to school within the normal admissions rounds (excluding Crown servants)

65 of the 96 respondents answered this question.

Response	Number	% of respondents
Support	19	29%
Do not support	30	46%
Not sure	12	19%
Do not wish to answer/not affected	4	6%
<b>Total</b>	<b>65</b>	<b>100%</b>

4.7.4 A detailed consultation outcomes report is attached at Appendix 4 – Consultation outcomes report – proposed changes to admission arrangements.

### 5. **Schools' Maintenance and Compliance**

5.1 School buildings are an important part of the Councils' assets. A school's premises comprise of the land and all the buildings provided for the school, including both permanent and temporary buildings and detached playing fields. The effective maintenance of school buildings is essential to support and enhance the delivery of education.

5.2 The Council has a duty to ensure that its school buildings meet the minimum standard and premises are maintained so that: they are safe, warm and weather tight and provide a suitable learning environment; emergencies are dealt with promptly and effectively; and the management and procurement of maintenance works is carried out efficiently. A key objective is to improve the condition and suitability of our buildings with a focused on urgent priorities to prevent the school from closing and disruption of pupils' education. The Schools Compliance and Maintenance Team works in partnership with the Capital Delivery for Homes and Schools Team to support clear decision making regarding ongoing repairs and maintenance activities, capital spending and wider property issues

5.3 The Council is responsible for the larger condition and maintenance works in maintained schools. Funding for repairs and maintenance is delegated to schools. The de minimis limit for the definition of capital in terms of what is the responsibility of schools is as follows:

- I. Nursery and PRUs £5k,
- II. Primary and special schools £10k,
- III. Secondary £25k

5.4 The condition of some of the education estate has improved due to investment in the refurbishment of the building fabric and maintenance / replacement of electrical and mechanical equipment. However, as school buildings age, they present age related issues and the cost of maintaining them is increasing steadily. In addition, some of the buildings are nearing the end of their lives and structural issues are beginning to emerge.

5.5 To enable the Council to determine its schools maintenance priorities, condition surveys have been carried out throughout the relevant school estates to determine the condition of the building and the equipment within each school. The nature of the building elements and its equipment is recorded and categorised by its state of repair and or its life expectancy.

#### Proposed Maintenance Plan

5.6 The proposed School's Maintenance Plan (Appendix 5) has been developed using information from condition surveys commissioned by the Council. These surveys are comprehensive and identify costed items across each school rated from A (good condition) to D (poor condition) as well as assessing the urgency of each (on a scale of 1 to 4, with 1 being the most urgent). As set out these

## APPENDIX 2

condition surveys are planned to be updated as part of the 2019/20 maintenance programme to ensure that we have the most up-to-date information to inform the programme of works.

- 5.7 Priority projects and reactive works include: boilers, heating, roof works, windows and electricals, gas leak repairs, replacement water tanks, remedial electrical works, structural works and fire safety.
- 5.8 All school buildings should facilitate education within a weather tight and safe environment and the purpose of the Councils School Maintenance plan is to achieve this. As school buildings are important long term assets, it is imperative to have a continuous, robust maintenance plan in place for every type of school building to ensure the health and safety of our children and supports educational performance.
- 5.9 Using TF Cloud, the works have been programmed according to the following criteria:
- D1 needs identification through condition surveys or further inspection. Urgent health and safety issues are items which could lead to school closure (predominantly roofing and heating works).
- 5.10 The proposed Schools' Maintenance Plan and associated budget is set out in Appendix 5. As in previous years £2m for forward planning for major maintenance work to be carried out in 2020/21 and 2021/22.

### Asbestos Management

- 5.11 It is extremely important that any asbestos present in Croydon schools is managed properly. Failure to follow the Control of Asbestos Regulations 2012 and any corrective measures may put the future health of staff, pupils and visitors at risk.
- 5.12 Where asbestos is present, the council take the following steps to manage the asbestos in our schools ensuring they have the following:
- Management survey of asbestos-containing materials (ACMs)
  - Assess the risks associated with ACMs.
  - A plan for managing asbestos.
  - Make sure staff and visitors know the risks and precautions they need to take.
  - Keep the management of asbestos under continuous review.
- 5.13 At the time of writing, based on these surveys as uploaded onto the Council's Asset Management database, (TF Cloud) there are D items over these limits to a total value of £4.367m awaiting attention of which £2.650m are in the most urgent category. Accordingly, given a limited budget, those works which actually reach the programme will inevitably be those which are likely to lead to school closure if not addressed. They include items such as heating, roofing and windows replacement.

### Reactive works

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- 5.14 Plans will be put in place to use any of the provisions for emergency and reactive works that may be unspent in the final months of the financial year on smaller projects from the programme.
- 5.15 As in previous years, the programmes set out in this report are based on estimated costs and not tendered prices. The Executive Director, Children, Families and Education, should retain the delegated authority to vary the programme to reflect actual prices and new urgent issues that may arise, including authorising spend against the allowance for emergency and reactive works.

### Procurement

- 5.16 Once the updated programme has been agreed, the relevant schools concerned will be engaged in detail on the works in advance of final procurement. The procurement strategy will be set for each scheme ensuring best value for money and added social value.

### Fire Safety in Schools

- 5.17 The Regulatory Reform (Fire Safety) Order 2005 requires schools to undertake risk assessments to identify the general fire precautions needed to safeguard the safety of occupants in case of fire, including their safe means of escape. These will include ensuring procedures are in place to reduce the likelihood of fire, and maintenance of gas and electrical equipment.
- 5.18 In conjunction with the Council's Corporate Fire Safety strategy, we have commissioned a full fire safety audit in community schools to provide an overview of the fire safety, focusing on the management of fire safety and the condition of the building in terms of fire safety performance to allow a corporate response and strategy to be considered.
- 5.19 The main objectives of the audit are as follows:
- Establish the current Fire Safety measures implemented within LBC Schools.
  - Assess Fire Safety against industry regulations and standards
  - Identify any gaps in schools current Fire Safety
  - Recommend and prioritise corrective actions
  - Cost and programme improvement works
- 5.20 The review of all of the fire safety audits was concluded in October 2018 and identified both management requirements and measures to be undertaken by the school and physical works that need to be undertaken to the building fabric as part of the overall capital programme allowance. The programme of physical works has been broken down in to eight tranches with between 5-7 schools in each tranche. Tranche one has been completed, tranche two is due to commence on site in December 2018 with the remaining tranches to be completed by March 2020.
- 5.21 Due to the complexity of the work that is required to the building fabric the fire safety programme has slipped slightly from its original intended dates and this is reflected in a requirement to slip £1.3m of the original allocated capital

funding from 2018/19 to 2019/20.

## 6. CONSULTATION

6.1 Please see consultation outcome reports – Appendices 3 & 4.

## 7 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

### 7.1 Revenue and Capital consequences of report recommendations

	Current Budget 2018/19	Medium Term Financial Strategy – 3 year forecast		
	2018/19	2019/20	2020/21	2021/22
	£'000	£'000	£'000	£'000
<b>Capital Expenditure</b>				
<b>Primary School Places</b>				
-Permanent Expansion	10,751	1,019	508	400
-Bulges	2,003	600	336	
<b>Secondary School Places</b>				
	152			
SEN Places	11,152	26,084	11,681	473
Fire Safety	2,000	1,000		
Major Maintenance	3,653	2,000	2,000	2,000
Other Education Schemes	1,206	4,935	272	206
<b>Effect of decision from report (Total)</b>	<b>30,917</b>	<b>35,638</b>	<b>14,797</b>	<b>3,079</b>
<b>Funding sources</b>				
Sources of Funding				
School Condition Funding	3,653	2,000	2,000	2,000
Basic Needs		6,833		
ESFA Invest to Save S106	969	969	969	
ESFA – Addington Valley Academy		10,000	3,510	
Borrowing	26,295	15,236	8,318	1,079
<b>Total</b>	<b>30,917</b>	<b>35,638</b>	<b>14,797</b>	<b>3,079</b>

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7.1.1 The table above details the Education Capital Programme for the current and future 3 financial years and the associated funding sources. A detailed breakdown of the projects can be found in Appendix 5a to this report. With a further detailed breakdown of the Schools' Maintenance Programme in Appendix 5.

Due to the nature of the programme it is likely that there will be slippage in the 2018/19 budget detailed above and this will be reported to Cabinet in July 2019 as part of the July Financial review report.

7.1.2 On the 16<sup>th</sup> December 2018 the Government announced additional funding of £100m for the Special Provision Capital Fund (total value now £365m), to create more specialist places in mainstream schools, colleges and special schools. The specific amount for each local authority is yet to be published.

7.1.3 The ESFA have commissioned Croydon to lead on the delivery of the new special free school - Addington Valley Academy (on Timebridge site). This project will be fully funded by the ESFA at a cost of £13.510m. Both the expenditure and funding for this project is detailed in the table above and the project is listed in Appendix 5a.

### **The effect of the decision**

7.2 The use of the free schools route to provide new school places within the borough in the future will result in a reduction in the requirements for future capital funding from the council as this will be funded by central government.

### **Risks**

7.3 Due to the nature of this programme there is a risk the projects may overspend and regular monitoring of all projects and the programme will be undertaken and reported to this Cabinet as part of the quarterly financial monitoring reports.

7.4 If the costs of Addington Valley Academy are greater than the funding allocated by the ESFA the additional costs will need to be funded by the Council.

### **Future savings/efficiencies**

7.5 If additional free school providers are interested in opening schools in Croydon, the cost to the Council could be reduced further in the future years. Also the Council's borrowing requirement may also be reduced if any further funding is allocated by the Department for Education. The fall in birth rate and associated demand for school places would however result in reduced demand and this would be monitored closely to make future savings.

7.6 The provision of more school places within the borough will result in a reduction in the need for young people to travel outside of the borough, which will result in financial savings to the SEND transport budget.

(Approved by: Lisa Taylor, Director of Finance, Investment and Risk and Deputy S151 Officer)

**8. COMMENTS OF THE COUNCIL SOLICITOR AND MONITORING OFFICER**

- 8.1 The Solicitor to the Council comments that there are no additional legal considerations arising from the Recommendations beyond those set out in the body of the Report.

Approved by: Sandra Herbert, Head of Corporate Litigation and Law, for and on behalf of Jacqueline Harris-Baker the Director of law and the Monitoring Officer.

**9. HUMAN RESOURCES IMPACT**

- 9.1 There are no direct HR implications arising from this report for Council employees. Any resultant future increases or changes in school staffing structures will be handled by the individual school governing body in accordance with their HR policies and procedures.

Approved by: Debbie Calliste, Head of HR for Health, Wellbeing and Adults, on behalf of the Director of Human Resources

**10. EQUALITIES IMPACT**

- 10.1 An equality analysis (Appendix 6) has been undertaken to help us to understand whether people with protected characteristics, as defined by the Equality Act 2010, will be disproportionately affected by the proposed changes and recommendations in the Education Estates Strategy report.
- 10.2 The proposed changes in this report will help the Council meet its statutory duty to provide sufficient school places for protected and non-protected groups. Croydon schools provide diverse educational provision in terms of type/category, size and educational sponsors. These include special schools, enhanced learning provisions at mainstream schools; and Academies /Free Schools. Pupils are allocated a school place based on the admissions criteria which aims to promote fair access to schools and are compliant with the School Admissions Code.
- 10.3 The proposed strategy is in line with the Council's Equality and Inclusion Policy and will enable the delivery of the following priorities:
- Make Croydon a place of opportunity and fairness by tackling inequality, disadvantage and exclusion.
  - Close gaps in educational attainment by working with local businesses and community groups to enable people of all ages to reach their full potential through access to quality schools and learning.
  - Work in partnership to lift people out of poverty by increasing employment opportunities across the borough ensuring local people have a pathway into employment, education and training.
- 10.4 The proposed strategy is consistent with the Council's general equality duty to have due regard to the need to eliminate unlawful conduct under the Equality Act 2010; to advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not.

10.5 The equality analysis has found that the Education Estates strategy, including proposed changes and recommendations do not negatively impact on any protected group and that no major change is required as the strategy meets the general and specific equality duties.

### **11. ENVIRONMENTAL IMPACT**

11.1 N/A

### **12. CRIME AND DISORDER REDUCTION IMPACT**

12.1 N/A

### **13. REASONS FOR RECOMMENDATIONS/PROPOSED DECISION**

13.1 The recommendations of this report are set out to ensure that the Council is compliant with its statutory duties as an education authority:

- School Place Planning (s13-14 Education Act 1996) to promote high standards of education and fair access to education; secure sufficient primary and secondary education, including SEN to meet the needs of the population of its area
- School Admissions (School Admission Code 2014) to determine the Admission Arrangements for its community schools annually
- School Maintenance - school buildings meet the minimum standard and premises are maintained so that they provide a suitable learning environment.

### **14. OPTIONS CONSIDERED AND REJECTED**

14.1 There are no current plans to deliver any new/additional mainstream school places. Pupil place projections indicate that there is sufficiency of school places in the primary and secondary educational phases. Future demand for additional school places will be delivered through the free school route or an increase in existing schools' admission numbers.

14.2 A number of schools, including academies have reduced and/or proposed to reduce their admission number due to the disparity between the Published Admission Number and actual number on roll at the schools. The reduction will enable the schools to operate more efficiently and cost effectively.

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**CONTACT OFFICER: [Denise Bushay, Head of School Place Planning, Admissions: 0208 604 7231]**

### **APPENDICES TO THIS REPORT**

Appendix 1 – Available Places vs SCAP18 forecasts

Appendix 2 – Childcare Sufficiency Assessment

Appendix 3 – Consultation outcomes report – proposed extension of age range at Red

## **APPENDIX 2**

Gates School

Appendix 4 – Consultation outcomes report – proposed changes to admission arrangements

Appendix 4a – Proposed admission arrangements for Croydon’s community schools

Appendix 4b – Proposed Pan London scheme for co-ordination of admissions to Reception and Junior

Appendix 4c - Proposed Pan London scheme for co-ordination of admissions to secondary schools

Appendix 5 – School Maintenance Plan

Appendix 5a - School Places - Capital Programme Budget Summary

Appendix 6 - Equality Impact Assessment