

<b>REPORT TO:</b>	<b>CABINET</b>
<b>SUBJECT:</b>	<b>Education Estates Strategy</b>
<b>LEAD OFFICER:</b>	<p><b>Debbie Jones - Interim Corporate Director Children, Young People and Education</b></p> <p><b>Shelley Davies – Director, Education</b></p> <p><b>Denise Bushay – Head of Service, School Place Planning, Admissions and Early Years</b></p>
<b>CABINET MEMBER:</b>	<b>Cllr Gatland - Children, Young People and Learning</b>
<b>WARDS:</b>	<b>All</b>
<p><b>MAYOR’S BUSINESS PLAN 2022-26</b></p> <p>The five core outcomes of the Mayor’s Business Plan 2022-26 are:</p> <ol style="list-style-type: none"> <li>1. The council balances its books, listens to residents and delivers good, sustainable services.</li> <li>2. Croydon is a place of opportunity for business, earning and learning.</li> <li>3. Children and young people in Croydon have the chance to thrive, learn and fulfil their potential.</li> <li>4. Croydon is a cleaner, safer and healthier place, a borough we’re proud to call home.</li> <li>5. People can lead healthier and independent lives for longer.</li> </ol>	
<p><b>SUMMARY OF REPORT</b></p> <p>This report sets out the draft education estates strategy for the three-year period 2022-2025. The strategy aims to minimise council borrowing to an absolute minimum whilst fulfilling the council’s statutory duty for sufficiency of school places.</p> <p>The proposals outlined in this report will ensure that the Council is compliant with its school place planning duties (s13-14 Education Act 1996) to promote high standards of education and fair access to education; secure provision for children with SEN; and respond to parental preference.</p> <p>This report focuses on 3 of Croydon’s main statutory responsibilities as an education authority:</p> <ul style="list-style-type: none"> <li>• School Admissions – determination of admission arrangements for all Croydon community schools for admission in 2024/25, and Pan London co-ordination arrangements.</li> <li>• School Place Planning – ensuring a sufficient supply of school places and childcare to enable the Council to fulfil its statutory duties.</li> <li>• School Maintenance – ensuring that school buildings meet minimum standards.</li> </ul>	
<b>FINANCIAL IMPACT</b>	

The overall cost of the Education Capital Programme is estimated at £11,834,000 over the period 2023/24 and £15,767,000 over the period 2024/25 as set out in Appendix 3.

**FORWARD PLAN KEY DECISION REFERENCE NO.:**

**1. DRAFT RECOMMENDATIONS**

The Executive Mayor in Cabinet is recommended to

**School Admissions:**

- 1.1 agree to the proposed community schools' Admission Arrangements for the 2024/25 academic year (Appendix 1).
- 1.2 approve the continued adoption of the proposed Pan London scheme for co-ordination of admissions to Reception and Junior schools – Appendix 1a; and adoption of the proposed Pan London scheme for co-ordination of admissions to secondary schools (Appendix 1b).

**School Place Planning**

- 1.3 Managing surplus school places  
following consultation, approve the proposed reduction of All Saints Primary School, Published Admission Number from 60 to 30, with effect from September 2024.
- 1.4 Approve the Capital Programme Budget summary (Appendix 3).
- 1.5 School Maintenance and Compliance  
Approve the proposed Schools' Maintenance Plan (Appendix 4) for 2023/24 with an overall budget cost of £4,580,016; and £3,191,514 for 2024/25.
- 1.6 Delegate authority to the Interim Corporate Director – Children, Young People and Education to vary the proposed Schools' Maintenance Plan to reflect actual prices and new urgent issues that may arise, including authorising spend against the allowance for emergency and reactive works. The Corporate Director, Children, Young People and Education shall report back to the Executive Mayor in Cabinet in respect of any exercise of such authority.

The Executive Mayor in Cabinet is asked to note the following:

**School Place Planning**

- 1.7 Comparison between the available school places vs 2022 School Capacity (SCAP) Pupil Projections – Appendix 2 (primary) and Appendix 2a secondary).
- 1.8 Managing Surplus School Places

The local authority is working in partnership with partners to discuss and agree a collective strategy to manage the high level of surplus school places in some primary schools.

#### Academy Conversion

1.9 The change of status to an academy for the following schools:

- Orchard Way Primary School from 1 April 2022
- The Minster Junior School from 1 April 2022
- The Minster Infant and Nursery School from 1 September 2022
- Coloma Convent Girls' School from 1 November 2022

1.10 Early Years

- *Croydon Childcare Sufficiency Assessment 2022* (Appendix 5) which measures the demand for, and supply of childcare across the borough.

1.11 Special Educational Needs and Disability (SEND)

Provision sufficiency for children and young people with complex SEND remains a challenge. We continue to develop provision in line with the planned expansion and are addressing the areas of need in addition to this. The use of robust data to inform medium to long term planning to meet demand is now much more accurate.

1.12 Alternative Provision / Pupil Referral Unit (PRU)

- We have received from the DfE the Academy Order for the proposed conversion to an academy of Saffron Valley Collegiate (SVC) Pupil Referral Unit. The intended date of conversion is the 1<sup>st</sup> April 2023.
- Additional demand for Alternative Provision places is met by commissioning suitable places via our Approved Alternative Provision Provider List.

## **2. EXECUTIVE SUMMARY**

This report outlines:

- the Council's Education Estates Strategy for three stages of education: Early Years, Primary and Secondary, including Special Educational Needs and Disability, and Pupil Referral Unit. It covers:
  - School Place Planning; School Admissions; and
  - Schools' Maintenance and Compliance.

### **2.1 Key Points**

2.1.1 We are not proposing any changes to the previously agreed admission arrangements for community schools.

2.1.2 There is sufficiency of school places to meet demand at early years, primary and secondary education phases.

2.1.3 There has been a decline in birth rate resulting in a high level of unfilled places in some schools. Borough-wide and planning area meetings have been held with primary schools to begin collaborative discussions about potential short, medium and long-term options to manage surplus places.

## **2.2 School Admissions**

### **2.2.1 Co-ordinated Admissions**

Admission authorities, including local authorities, are responsible for admissions and must act in accordance with the School Admission Code, and the School Admission Appeals Code. All admission authorities must determine (i.e., formally agree) admission arrangements every year, by 28 February. The Council is also responsible for having in place a scheme for coordinating admission arrangements. There are no proposed changes to the admission arrangements that have been previously determined in January 2022 that require consultation.

All Saints Primary School is consulting on a proposal to reduce its Published Admission Number from 60 to 30, The Minster Junior School from 120 to 90, Oasis Shirley Park 120 to 90 with effect from September 2024.

### **2.2.2 In-Year Admission**

Croydon School Admissions manage the in-year admissions for the majority of primary schools in Croydon either because they are a community school or on behalf of the governing body of an academy, Voluntary Aided, Foundation or Free school.

## **2.3 School Place Planning**

2.3.1 In accordance with the Education and Inspections Act 2006 (“EIA”) the Council has a statutory duty to “secure that sufficient schools for providing— (a) primary education, and (b) secondary education are available for their area” as well as to “secure diversity and increase opportunities for parental choice when planning the provision of school places” in the borough. The Council also has statutory duty to manage a potential surplus of school places.

### **2.3.2 Sufficiency of school places**

There is sufficiency of school places at both primary and secondary levels across the borough. Therefore, there are no planned projects to create additional school places. The duty to ensure sufficient school provision also requires local authorities to manage surplus school places.

### **2.3.3 Managing surplus school places**

Due mainly to a drop-in birth rate, several primary schools across the borough are experiencing falling rolls. The council is working collaboratively with these schools to discuss and agree options for managing the high level of surplus places., including reduction of published admission number. A few schools are proposing to reduce their published admission number.

### **2.3.4 School Maintenance and Compliance**

The Council is the employer for community schools, community special

schools, maintained nursery schools and pupil referral units and is responsible for larger condition and maintenance works. It has a duty to ensure that appropriate arrangements are in place to monitor and review any preventative and protective measures that have been implemented. The Schools' Maintenance Plan (Appendix 4) contains the planned repairs and maintenance programme for 2023/24 and proposed outline plan for 2024/25.

#### 2.3.5 Special Educational Needs and Disability

The sufficiency of provision for SEND is under review as demand continues to grow for a range of SEND. This illustrates the number of young children already with EHCPs in the Croydon system. In addition to this we have approximately 170 currently being considered for assessment and placement, 23 of which have a diagnosis of Down Syndrome. This data is crucial to our placement planning and forecasting. In addition, we continue to have pressure in placing children and young people with complex MLD/SLD and Dyslexia. To this end discussion is underway regarding establishing additional Education Learning Provision (ELPs) within mainstream settings and a planned expansion of Addington Valley Academy and St. Nicholas special schools for September 2023.

#### 2.3.6 Early Years

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 2022 report indicates that there are sufficient early years and childcare places for families. The Sufficiency Assessment report is attached as Appendix 5.

#### 2.3.7 Croydon Childcare Sufficiency Assessment 2022

The Childcare Sufficiency Assessment (Appendix 5) outlines how the council plans to secure enough childcare places as far as is reasonably practicable, for parents who are working, studying, or training for employment. The Childcare Sufficiency Assessment meets the local authority's statutory duty under sections 6 and 7 of the Childcare Act 2006.

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

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. This duty is fulfilled via availability of pupil places at Saffron Valley Collegiate (PRU) plus additional places commissioned from our Approved Alternative Provision Provider List as described in 4.43 to address needs that cannot be met by the PRU.

### **3. DETAIL**

#### **3.1 School Admissions**

3.1.1 Croydon is the Admission Authority for Community schools and is therefore responsible for determining the Admission Arrangements for these schools. Where the admission arrangements have not changed from the previous year

there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years. Croydon is not proposing any changes to the previously agreed admission arrangements.

- 3.1.2 Admission authorities must determine admission arrangements for entry in September 2024 by 28 February 2023. The proposed Admission Arrangements for Community schools include the criteria by which school places are allocated when a school receives more applications than places. The council is not proposing any significant changes to the previously agreed admission arrangements.
- 3.1.3 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.
- 3.1.4 . The Council is required by statute and regulations to approve its admissions policies for the schools it is responsible for the 2024/25 academic year (including Published Admissions Numbers – PANs). Accordingly, the Executive Mayor in Cabinet is requested to determine the proposed Admission Arrangements for Croydon’s community schools for the 2024/25 academic year (Appendix 1) and approve the adoption of the proposed Pan London co-ordination arrangements (Appendix 1a & Appendix1b).
- 3.1.5 The governing bodies of voluntary aided, foundation schools and academies are their own admission authorities and therefore responsible for determining their own admission arrangements. All Saints Primary School is proposing to reduce its Published Admission Number from 60 to 30, The Minster Junior School from 120 to 90, Oasis Shirley Park Primary School 120 to 90 with effect from September 2024. In line with DfE guidance - making ‘prescribed alterations’ to maintained schools - the LA is the decision-maker.
- 3.1.6 In-year admissions  
An in-year admission is when parents/carers apply to a school outside the normal admissions round and at a time when their child should already be attending school. In-year admissions generally arise when a parent/carer wants their child to transfer between schools or when a child moves into the area.
- 3.1.7 Local authorities must, on request, provide information to prospective parents about the places still available in all schools within their area. To enable them to do this, the admission authorities for all schools in the area must provide the local authority with details of the number of places available at their schools whenever this information is requested, to assist a parent/carer in seeking a school place.
- 3.1.8 The council is not required to co-ordinate in-year applications for schools for which they are not the admission authority. However, Croydon School Admissions manage the in-year admissions for the majority of primary schools in Croydon either because they are a community school or on behalf of the governing body of an academy, Voluntary Aided, Foundation or Free school.

## **4. School Place Planning**

4.1 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.

### **4.1.2 Pupil Projections for SCAP 2022**

Like most London Boroughs, Croydon commissions the Greater London Authority (GLA) School Roll Projection (SRP) service to forecast future demand for school places. The GLA methodology generally has provided a more accurate and credible set of pupil projection numbers to support better pupil places planning for Croydon. The projections are also used to complete the council's annual statutory School Capacity (SCAP) return to the Department for Education.

4.1.3 The projections are designed to give a strategic-level indication of where additional demand may arise in future. It is not intended that the projections be considered as definitive evidence that additional provision is required in a particular planning area. We apply local knowledge to ensure that local factors are taken into account to enhance the robustness of the projected figures.

4.1.4 Currently, there are more places than pupils at both primary and secondary levels, but the balance between the two varies across the borough, within educational planning areas and particularly school-by-school.

4.1.5 Shortages of places at popular schools can exist alongside surplus places at others. And over the next three years, the expected growth in pupil numbers varies widely: in some places, numbers are expected to increase due to pupil yield from planned housing developments; in others, particularly in the primary phase, they are expected to decrease due to fall in birth rates.

4.1.6 Pupil projection indicates sufficiency of mainstream school places for both primary and secondary schools for the next 3 years. There is the potential for some schools across the borough, both primary and secondary, to have higher levels of unfilled places. Appendices 2 (primary) and 2a (secondary) contain a table that shows a comparison between the Available School Places vs 2022 School Capacity (SCAP) Projections Pupil Projections.

### **4.2 Changes in demand**

Across London, local authorities are trying to manage a high level of unfilled places which in part is due to a drop-in birth rate. Between 2012-13 and 2018-19, the number of live births across London decreased by 10%. The number of births in an area will have a direct effect on the number of children on roll four years later. Anecdotal evidence in relation to the potential effect of the COVID-19 pandemic on future birth rates suggests that the pandemic may lead to an acceleration in the decline of the birth rate in the UK.

### **4.3 Surplus Places**

Since 2013, there has been a fall in birth rate nationally and locally which has resulted in a drop in demand for school places, and a high level of surplus

school places in some schools across the borough. This can have a negative impact on school's finance as schools are funded on a per pupil basis and unfilled places mean that schools will get less funding which could affect the quality of education as schools might have to reduce staff and resource.

- 4.3.1 To allow for unexpected in-year growth in demand and parental choice and provide some leeway in case the projections underestimate the actual level of demand, the Council aim to allow between 5% and 10% surplus places across the borough, with the higher percentage in areas of planned housing developments.

#### **4.4 Managing Surplus School Places**

There is a high level of surplus primary school places, however, some planning areas and schools are more affected than others. A high level of surplus places can lead to financial and organisational inefficiency for schools. This could affect the quality of education as schools might have to reduce staff, resource, and overheads.

- 4.4.1 The council is working with affected schools with an aim to help stabilise each school's intake and enable school leaders to plan and deliver school provision effectively and meet local demand. The council has met with groups of primary schools in their planning areas to discuss options for managing surplus school places through collaborative working, for example, the sharing of resources, and expertise whilst delivering a high standard of education to pupils. A School Organisation Advisory Board will be set up to help in agreeing the criteria that will be used for identifying the schools that require intervention to address the surplus capacity.
- 4.4.2 The council has undertaken an assessment of the level of surplus places in individual schools and has developed a plan for reducing primary school places. So far, three schools have proposed or are consulting on reducing their Published Admission Number and we expect more schools to follow. The council is also exploring alternative uses of the spare capacity with primary schools, such as re-purposing empty classrooms for SEND provision.
- 4.4.3 Primary Schools: Croydon has six educational planning areas – North West, East, Central, South East, South, South West - for the primary phase pupil of place planning; each with its own distinct demographic profile and migration patterns. A significant number of schools in the North West and East planning area have experienced the biggest fall in demand resulting in the highest number of surplus places. The South East has the highest percentage of surplus places but only has six schools. To date, 1320 places have been removed, across primary year groups (Reception – Year 6). Most of these unfilled places, were in the North West and East planning areas.
- 4.4.4 For the 2022/23 academic year - the percentage of first preference offers is up by one and a half per cent this year to 86.5%. The percentage of parents/carers receiving one of their top three preference schools is 96.5% (this remains the same as last year). There also has been a decrease of 2.39% in the number of primary applications received on-time with 4365 pupils applying for primary school places, compared to 4472 in 2021.



- 4.4.5 The demand for places in Croydon's primary phase is not restricted to the rising 5's, nor does the on-time admissions round adequately provide an accurate picture of the number of places that will be required during the following education year. 'In year' applications create an all-year pressure to find additional places, and since families who make these applications characteristically have young families with primary aged children, there is a continued pressure across the whole primary estate.
- 4.4.6 Secondary Schools: There are two secondary educational phase planning areas, North and South, which reflect home to school journeys tend to travel further to school independently due to good transport links.

- 4.4.7 Borough-wide, the percentage of surplus school places at secondary level is 10%. This is concentrated in the North of the borough, which has 13% surplus places in year 7. Pupil projections suggest that there is a small number of surplus places in the South planning area, currently 5%, and additional places may be needed if demand increases above the predicted level.
- 4.4.8 For the 2022/23 academic year, 65% of secondary school applicants received their first preference school and 87.5% one of their first three preference schools.

#### **4.5 School Maintenance**

- 4.5.1 Local Authorities have responsibility to maintain school buildings so that they are safe, warm and weather tight and provide a suitable learning environment, including dealing with emergencies promptly and effectively and managing and procuring maintenance works efficiently and ensuring the council meets its full statutory compliance obligations. The Council is responsible for the larger condition and maintenance works in maintained schools and regularly undertakes reviews of legislation changes and ensures it meets its obligations. We will be reviewing our school's energy performance certificates and looking at which schools have the worst performance.
- 4.5.1 As part of the schools planned maintenance programme (which includes electrical, mechanical and general build works) a certain reduction in CO2 emissions is achieved as a result of replacing electrical/mechanical equipment which is at the end of its lifetime with new efficient equipment. During last year's programme, the Council took the initiative of completing feasibility studies and heat decarbonisation plans at four schools in the borough to explore suitable low carbon heating systems such as Ground source heat pumps, Air source heat pumps, the installation of photovoltaic panels and improving the fabric of the schools' buildings. A number of suitable options have been proposed as part of the feasibility studies; however, the challenge continues to be that adopting such measures requires additional funding and forward planning and at this time there is no additional funding available from the DfE to carry forward any plans, we are however continuing to improve on the efficiency of heating and insulation to our schools' estates and we will be looking at further ways of improving their efficiency whilst undergoing major maintenance.
- 4.5.2 There are a number of funding schemes that are available to fund heat decarbonisation and energy efficiency measures (provided that the criteria are met); last year we were successful in obtaining funding from the Public Sector Decarbonisation Scheme to aid with the installation of LED lighting in 3 schools. The next steps would be to carry out further feasibility studies, following the review of the school's condition surveys which were completed in 2021, to establish in which schools' where energy efficiency measures can be adopted (which meet the criteria of the public sector decarbonisation funding schemes) to enable the Council to apply for further funding to supplement the planned maintenance programme's budget to deliver such measures.

- 4.5.3 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.
- 4.5.4 The 2023/24 annual maintenance capital budget (Appendix 4) stands at £4,200,000 which is sufficient to only undertake the highest ranked projects; those categorised as the worst defects designated D1 in the condition survey report. The council retains a percentage of its annual maintenance capital budget to address unexpected and urgent reactive works in schools, we are also reviewing risk on compliance within our school's estate and will be looking to ensure that the council meets its statutory compliance with any changes to legislation.
- 4.5.5 The School's Maintenance plan (Appendix 4) 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). School Condition surveys have been undertaken in 2021, they will continue to be reviewed and validated to inform the 4 next year's school maintenance programmes.

#### **4.6 Asbestos Management in Community Schools**

4.6.1 Where asbestos is present, the council will take the following steps to manage the asbestos in our schools ensuring they have the following:

- a) Management survey of asbestos-containing materials (ACMs)
- b) Assess the risks associated with ACMs.
- c) A plan for managing asbestos.
- d) Ensure staff and visitors know the risks and precautions they need to take.
- e) Keep the management of asbestos under continuous review

#### **4.7 Statutory compliance Inspections and works**

4.7.1 Both the Council and maintained schools are required to ensure school buildings are meeting the statutory standards by regularly undertaking statutory tests and maintenance which includes Legionella Risk Assessments, Gas Safety Checks, Fire Alarm tests, NICEIC 5 Year Periodic Inspections, NICEIC Emergency Lighting, Energy Performance Certification, Fire Risk Assessments and Asbestos Management and compliance related work. The Council ensures that the policies, and the condition of the school estate are compliant with appropriate legislation by requesting and checking the relevant certification and where necessary ensure that works are carried out.

#### 4.8 **Fire Safety**

4.8.1 Cabinet approved an additional £3m from 2018/19 through to 2019/20, which was extended to 2020/21 to undertake fire safety remedial works at schools for which it is the responsible body. This works programme will now conclude in 2023/24 due to various challenges that have arisen in delivering the works on-site. The works are progressing across the estate with progress made in 2022/23. The remaining works are currently being reviewed against other planned/agreed works in 2023/24 to ensure the works are coordinated and minimise disruption to teaching and learning

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

4.9.1 We now have robust SEND data, which is enabling improved analysis, forecasting and planning. Table A below outlines children in early years with Education and Health Care Plan (EHCP), broken down by Need:

	NCY -2	NCY -1	NCY 0 (Reception)	Total
Speech, Lang or Comm Diff	0	2	84	86
Autistic Spectrum Disorder	1	0	33	34
Medical Problems	3	5	10	18
Moderate Learning Difficulty	0	0	8	8
Soc, Em and Ment Health	0	0	4	4
Hearing Impairment	0	1	2	3
Other Difficulty/Disability	0	0	3	3
Blank	0	0	3	3
Vision Impairment	0	0	1	1
Multi-Sensory Impairment	0	0	1	1
<b>Total</b>	<b>4</b>	<b>8</b>	<b>149</b>	<b>161</b>

**Table 1**

4.9.1 Following a review of the SEND estate, a programme of maintenance and remedial activities has been undertaken. However, there remains a significant challenge relating to space and suitability of accommodation in particular at St. Giles. The growth in the complexity of the pupils attending – and their medical needs - has impacted upon the site. Continuing issues with the accommodation are impacting upon and restricting use.

#### 4.10 **Early Years**

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

#### 4.11 **Croydon Childcare Sufficiency Assessment 2022**

4.10.1 For the purposes of this assessment the supply of formal childcare includes Ofsted registered private day nurseries, pre-schools, schools with nursery provision, childminders out of school clubs and holiday clubs. There are diverse and sufficient early years provision across the borough. In total, there are 575 childcare providers in our local authority, offering 10,165 childcare places.

4.11.1 In Croydon there are an estimated 13 childcare places per 100 children based on 80,871 children aged 0 to 14 years. Ofsted's national figures as of August 2022 state that the proportion of Croydon childcare providers on the Early Years Register judged to be good or outstanding was 92%.

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

4.11.1 Under Section 19 of the Education Act 1996 the Local Authority has a statutory duty to make arrangements for the provision of suitable full-time education to those pupils who are unable to attend a mainstream school due to illness, exclusion or otherwise.

4.12.1 In this context, Alternative Provision in Croydon is provided by separate specialist providers for each of the Primary and Secondary settings, a Medical Tuition Service and the London Borough of Croydon supplement this with provision commissioned from the independent sector (on our Approved Provider List) as required. The number of commissioned places from the Independent Sector varies according to need which the flexibility of our contractual arrangements allows for. All of this place funded provision is good or outstanding.

The number of places available is as follows, but excludes additional 'ad-hoc' commissioned places from our Approved Alternative Provider List to meet additional demand/needs:

- Medical: 90 places for tuition services (1-2-1 and small groups)
- Primary: 48 places
- Secondary: 150 places, of which 48 places are for KS3 pupils who have or are at risk of being excluded and 102 places for KS4 pupils who have or are at risk of being excluded
- Emotionally based school refusers: 40 places.

4.12.2 We utilise the Approved Alternative Provider List to commission specialist provision for new KS4 (year 11) arrivals into the borough who have English as an Additional Language (EAL) needs.

4.12.3 Saffron Valley Collegiate Pupil Referral Unit has applied to the DfE to convert to an academy in April 2023.

## **5. CONSULTATION**

5.1 Where the admission arrangements have not changed from the previous year there is no requirement to consult, subject to the requirement that admission authorities must consult on their admission arrangements at least once every 7 years, even if there have been no changes during that period

5.2 All Saints Primary school, The Minster Junior school and Oasis Shirley Park Primary school consulted partners on the proposed reduction of the school's published admission number.

## **6 PRE-DECISION SCRUTINY**

6.1 This report will go to a Scrutiny meeting

## 7 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 7.1 The table below details the Education Capital Programme for the current and future years and the associated funding sources. There is currently no financial risk envisaged so far. None of the funding sources is from borrowing therefore no impact on the council general fund. The service had always followed the grant conditions and efficient resource utilization on the capital budget.
- 7.2 The capital budget allocation in 2022/23 and future years demonstrates the local Authority strategy to also invest in Special Education Needs capital projects which will ensure a good strategic fit with the five years overall Dedicated Schools Grant (DSG) Deficit Recovery Plan.
- 7.3 The effect of the decision  
The use of the free school's 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.
- 7.4 Risks  
Due to the nature of this programme, there is a risk that 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.
- 7.5 Capital Budget  
Table 2 below represents the overall capital budget over the next three years. Detailed can be found in Appendix 3 appended to this report. As shown below, most of the capital budget is allocated to major maintenance work and Special Education Needs provision.

**Table 2. Capital Budget from 2022/23 to 2024/25**

Medium Term Financial Strategy – 3year forecast			
Capital Schemes / Funding Source	Current Budget 2022/23 £'000	Budget 2023/24 £'000	Budget 2024/25 £'000
<b>Capital Budgets</b>			
Permanent Expansions	44	-	-
Fixed Term Expansion /Bulge	703	2,540	2,993
SEN Provision	750	4,792	4,287
Major Maintenance	3,708	4,200	4,200
Fire Safety Works	750	152	-
Other Schemes	366		
<b>Effect of decision from report (Total)</b>	<b>6,321</b>	<b>11,684</b>	<b>11,480</b>
<b>Funding Sources</b>			

<b>School Condition Allocation</b>	4,458	4,352	4,200
<b>Special Provision</b>	423	4,521	4,287
<b>Basic Need Funding</b>	747	2,540	2,993
<b>Borrowing</b>	-	-	-
<b>CIL</b>	693	271	-
<b>Total Funding</b>	<b>6,321</b>	<b>11,684</b>	<b>11,480</b>

7.6 The table above details the current Education Capital Programme for 2022/23 and the future two financial years and the associated funding sources. The spend in the 2023/24 and 2024/25 may increase dependent on the outcome of the following:

- a) The completion of an in-depth review of legionella and compliance related works across all our community schools. This will determine the required level of funding over the coming years to ensure that our schools are compliant and safe.
- b) The completion of a review regarding CDM management of the capital programme and risk analysis on reducing overall risk to the council regarding H&S management legislation on site and implementation of its recommendations.
- c) The addition of an asset manager to the delivery team and their review of the compliance work we undertake and statutory documentation we hold on to our schools and implementation of recommendations to ensure we reduce the risk to the council.
- d) The Creation of an RAAC register for all our community schools' estates where the material is identified and the creation of cyclical yearly structural survey plan on schools affected.
- e) Additional works as needed to increase the SEND provision places, we offer in mainstream schools

7.7 A detailed breakdown of the projects can be found in Appendix 4 – School Maintenance Plan – appended to this report.

#### 7.8 Future savings/efficiencies

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.

7.9 The provision of more school places within the borough for children with special education needs and disability (SEND) 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 budget.

(Approved by: *A N. Other*, Department Head(s) of Finance/nominated deputy(ies))

## **8. LEGAL CONSIDERATIONS**

- 8.1 Section 13 of the Education Act 1996 places a duty on local authorities to secure (so far as their powers enable them to do so) that efficient primary, secondary and further education are available to meet the needs of the population of their area. Section 13A requires local authorities to ensure that their relevant education and training functions are exercised (so far as they are capable of being so exercised) with a view to promoting high standards, ensuring fair access to opportunity for education and training and promoting the fulfilment of learning potential for children and young people in their area. Section 14 requires local authorities to secure sufficient schools for primary and secondary education for their area, and sufficient is defined by reference to number, character and equipment to provide appropriate education based on age, ability and aptitude, including practical instruction and training appropriate to their needs. These duties are overarching duties and apply regardless of whether schools are maintained by the local authority or independent of local authority support.
- 8.2 As the admission authority for community and voluntary controlled schools, the Council is required under The School Admissions (Admission Arrangements and Coordination of Admission Arrangements) Regulations 2012 and the Admissions Code 2021 to determine the admissions arrangements by 28 February 2023.
- 8.3 Approved by Sandra Herbert, Head of Litigation & Corporate Law on behalf of the Director of Legal Services & Monitoring Officer

## **9. HUMAN RESOURCES IMPACT**

- 9.1 There are no direct HR implications arising from this report. Any resultant future increases or changes in staffing will be handled by schools' governing bodies in accordance with the appropriate school/council policy and procedures.
- 9.2 Approved by:

## **10. EQUALITIES IMPACT**

- 10.1 An equality analysis has been undertaken as part of the January 2023 report 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 There are no proposed changes in this report that will prevent the Council from meeting 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 supports the Croydon Equalities Pledge, enabling Croydon to become more inclusive, fairer, and safer for our residents, workers and visitors:

- positively promote the equality of opportunity for individuals of all characteristics namely: disability, gender, race, age, sexual orientation, religion and belief, marriage and civil partnership and gender identity, by recognising significant celebrations and awareness days and ensuring that workplace practices do not discriminate against any groups.

10.4 The proposed strategy supports 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 indicates that the proposed changes and recommendations will not negatively impact on any groups that share protected characteristics and that no major change is required as the strategy meets the general and specific equality duties as required by the Equality Act. An Equality Analysis Impact is attached at Appendix 6. Furthermore, there is a written commitment in the Equality Analysis to continue to keep the strategy under review and make changes as appropriate should the need arise.

10.6 Approved by: Gavin Handford, Director of Policy, Programme & performance

## **11. ENVIRONMENT AND CLIMATE CHANGE IMPACT**

11.1 Through the delivery of the Education Capital Programme of works the Council will strive to deliver energy efficient solutions through design and construction methodologies with the intention to reduce energy use and associated carbon emissions in our schools.

11.2 The Council will work with schools to monitor the energy performance post works so that this can be captured in lessons learnt for future projects

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

12.1 Children being in school will help prevent criminal and anti-social behavior or being victim of such behavior and reduce the number of children and young people in the criminal justice system.

## **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 In relation to mainstream schools, there are no plans to deliver any new/additional school places. Should there be an increase in demand for new schools, this will be delivered through the free school route which is funded by central government.

#### **15. DATA PROTECTION IMPLICATIONS**

##### **15.1 WILL THE SUBJECT OF THE REPORT INVOLVE THE PROCESSING OF 'PERSONAL DATA'?**

No

(If no, please complete the sign off)

##### **15.2 HAS A DATA PROTECTION IMPACT ASSESSMENT (DPIA) BEEN COMPLETED?**

No

This report does not include any personal data.

The Director of Education comments that this report is an overview of education estates and does not contain any personal data.

*(Approved by: [A. N. Other] on behalf of the Director of XXX)*"

#### **CONTACT OFFICER:**

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Kathy Roberts – Interim Head of 0-25 SEN Service, 0208 604 7263

#### **APPENDICES TO THIS REPORT**

Appendix 1 – Community Schools Admission Arrangements

Appendix 1a – Pan London Co-ordination – Reception and Junior

Appendix 1b – Pan London Co-ordination – Secondary

Appendix 2 – Available Primary School Places vs SCAP 2022 Pupil Projections

Appendix 2a - Available Secondary School Places vs SCAP 2022 Pupil Projections

Appendix 3 – Capital Programme Budget Summary

Appendix 4 - Schools Maintenance Plan  
Appendix 5 – Early Years Childcare Sufficiency Assessment report  
Appendix 6 – Equality Impact Assessment

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**BACKGROUND PAPERS**

None