

**SCHOOL ADMISSIONS FORUM**

**6<sup>th</sup> July 2010**

**REPORT BY THE SERVICE DIRECTOR OF LEARNING AND SCHOOL EFFECTIVENESS**

**SUMMARY**

This report outlines developments, since February 2010, towards the expansion of primary and secondary schools. It uses two recent Executive reports to update the Forum on progress on the Council's strategy for the permanent expansion of primary school places:

- STRATEGY FOR THE PERMANENT EXPANSION OF PRIMARY SCHOOL PLACES; CONSULTATION RESPONSES FOR KINGSTON AND SURBITON SCHOOLS 8<sup>th</sup> June see ANNEX 1 and
- STRATEGY FOR THE PERMANENT EXPANSION OF PRIMARY SCHOOL PLACES; CONSULTATION RESPONSES FOR SOUTH OF THE BOROUGH AND MALDENS AND COOMBE 30<sup>th</sup> June see ANNEX 2.

In summary, on the 30<sup>th</sup> June the Executive Committee will be asked to agree to a phased primary expansion strategy which recommends the permanent expansion of 8.5 forms of entry for 2011 and the deferment of 5 previously proposed forms of entry for review in February 2011. This is largely due to the changed financial situation and the requirement that the Council operates within currently available budgets. The phased approach will allow for more information about Council finance, the analysis of a further set of birth and admissions data and it will allow time to implement traffic working groups to consider some concerns raised during the consultation process about site and traffic congestion.

The implications for primary admissions in 2011 are considered.

The report updates the Forum on the provision of additional primary places for 2010.

The report includes an update on the expansion of secondary school places and development of the new secondary school including the competition for a provider of the new school in the north of the borough.

**ACTION FOR THE FORUM**

**The Forum is asked to receive the paper for information and consider the implications for primary admissions in 2011.**

## Background

1. This report has become a regular item on the Forum agenda, recognising that borough's statutory duties as the Commissioner of school places impact on admissions to school.
2. There is a sustained need for more primary school places and in December 2009 the Council agreed a Strategy to provide the additional places from September 2011. This been subject to statutory consultation and pre planning consultation.
3. The report 'STRATEGY FOR THE PERMANENT EXPANSION OF PRIMARY SCHOOL PLACES; CONSULTATION RESPONSES FOR SOUTH OF THE BOROUGH AND MALDENS AND COOMBE' will be considered by the Council Executive on 30<sup>th</sup> June 2010. It sets out proposals for permanent additional places. The full report is available in Annex 1. At the time of writing this report the Executive Committee had not met and the outcomes will be tabled for discussion at the 6<sup>th</sup> July meeting of the School Admissions Forum.
4. The Executive had previously received a report STRATEGY FOR THE PERMANENT EXPANSION OF PRIMARY SCHOOL PLACES; CONSULTATION RESPONSES FOR KINGSTON AND SURBITON SCHOOLS at 8<sup>th</sup> June committee meeting. The report is available as Annex 2 but the outcomes of both reports are covered in the report of 30<sup>th</sup> June.
5. The Executive of 30th June is informed that: A Strategy for the Permanent Expansion of Primary School Places was approved at Executive on 1 December 2009 to meet the need for places of a rising school aged population. Budget Council on 25 February 2010 approved a capital budget of £42 million for 2010-2012, with a total commitment of up to £70 million over 5 years, for the accommodation changes needed to deliver the Strategy. The statutory process for expanding fourteen primary schools, and the creation of a new primary school in Surbiton, started in March 2010. This report summarises the second phase of consultation undertaken regarding the proposals for the South of the Borough and Malden and Coombe areas. The report also provides an update on recently available revised school places projections and also reflects the increasingly uncertain financial context in which the decisions to undertake major capital adaptations at schools must be made. The Executive is requested to indicate their support for progressing to the next stage of statutory consultation for each of the schools in the Strategy.
6. The Executive is recommended to:
  1. Note the consultation responses received from respondents to the proposals for the South of the Borough and Maldens and Coombe areas;
  2. Consider the overall strategy for expansion taking into account the consultations for Kingston Town and Surbiton school proposals reported to 8 June Executive, the latest forecast pupil numbers and overall capital resources available;

3. Confirm the decision to publish a Public Notice for schools in Phase 1 of the Strategy to enable an additional 255 permanent places (8.5 forms of entry) to be available from September 2011;
4. Confirm those schools about which a decision to publish a Public Notice to expand will be deferred until a review is undertaken in February 2011 to determine that funding and pupil projections indicate this is appropriate;
5. Note that the decision to publish a notice for the identified school expansion in phase 1 may exceed the approved capital budget of £42m and that the final approval will be subject to either securing the additional funding or the actual costs being within the approved budget; and
6. Agree the action proposed by the Director of Learning & Children's Services (Interim) to ensure that there are sufficient school places available for September 2011, reflecting the decisions taken under 3, 4 & 5 above and the revised programme to establish a new school in Surbiton.

#### 7. The Proposed expansion Strategy agreed in December 29

Kingston Town	Latchmere Primary Fern Hill Primary King Athelstan Primary Alexandra Infants & St Pauls Junior*	+30 +30 +30 +30	120 (4 fe) 90 (3 fe) 90 (3fe) 90 (3fe)
Surbiton	St Matthew's Primary* Grand Avenue Primary New School	+15 +30 +60 or +90	60 (2fe) 90 (3fe) 60 (2fe) or 90 (3fe)
Malden & Coombe	Burlington Infants & Junior Schools Christ Church New Malden Primary* Corpus Christi Primary** Malden Manor Primary	+30 +30 +30 +30	120 (4fe) 90 (3fe) 90 (3fe) 90 (3fe)
South of the Borough	Ellingham Primary Lovelace Primary	+30 +30	60 (2fe) 90 (3fe)
TOTAL Permanent Places	Currently 1,575 (52.5fe)	+405 (13.5fe) or +435 (14.5fe)	1,980 places (66fe) 2,010 places (67fe)

\*denotes Southwark Diocese Voluntary Aided schools

\*\*denotes Southwark RC Archdiocese Voluntary Aided schools

#### 7. Proposed Phasing of Strategy June 2010.

<b>STRATEGY FOR PERMANENT EXPANSION PRIMARY SCHOOLS</b>			
School Places Planning Area	School	Permanent Change to Published Admission Number (forms of entry)	Expanding to Published Admission Number (forms of entry)
<b>Phase One – Publish Public Notice July 2010 for expansion in September 2011</b>			
Kingston Town	Latchmere School	+30	120 (4 fe)
	Fern Hill Primary	+30	90 (3 fe)
	Alexandra Infants & St Pauls Junior*	+30	90 (3fe)
Maldens & Coombe	Burlington Infants & Junior Schools	+30	120 (4fe)
Surbiton	St Matthew's Primary*	+15	60 (2fe)
	Grand Avenue Primary	+30	90 (3fe)
	New School 2012	+60	60 (2fe)
South of the Borough	Ellingham Primary	+30	60 (2fe)
<b>Total Phase 1</b>	Currently 1,575 (52.5fe)	<b>+255 (8.5fe)</b>	
<b>Phase 2 – review during February 2011</b>			
Kingston Town	King Athelstan Primary	+30	90 (3fe)
Maldens & Coombe	Christ Church New Malden Primary*	+30	90 (3fe)
	Corpus Christi Primary**	+30	90 (3fe)
	Malden Manor Primary	+30	90 (3fe)
South of the Borough	Lovelace Primary	+30	90 (3fe)
<b>Total Phase 2</b>		<b>+150 (5fe)</b>	
<b>TOTAL Places available from 2011</b>	Currently 1,575 (52.5fe)	<b>+405 (13.5fe)</b>	1,980 places (66fe)

\*denotes Southwark Diocese Voluntary Aided schools

\*\*denotes Southwark RC Archdiocese Voluntary Aided schools

The estimated cost of the accommodation changes required at Phase1 schools is approximately £48.5m, which exceeds the £42m allowed for in the approved capital programme for 2010/2012. It is estimated that in line with a usual payment profile approximately 2.5% of costs will fall within the third financial year of the project i.e. approximately £1.3m will not be payable until 2012/13.

## **IMPLICATIONS FOR PRIMARY ADMISSIONS**

8. If Phase 1 schools are progressed it is currently estimated that three additional classes will be needed on a temporary basis for September 2011 admissions, in addition to the two additional temporary classes in the Surbiton area linked with the creation of the new primary school.
9. The Primary Expansion Strategy includes two of the three and a half forms of entry required in the Surbiton area to be provided at the new school from September 2011. In view of the revised timescale and knowledge that the new school will not be open before September 2012 the Director of Learning & Children's Services is developing a plan to ensure that there will be sufficient school places in the Surbiton area.
10. The revised Strategy for September 2011 is likely therefore, subject to negotiation with school governing bodies, to include an additional class for up to 30 pupils on a temporary basis at two local Infant schools. It is anticipated that the pupils will remain at these schools for the whole of Key Stage One (Reception and Years One and Two) until the transition to Junior School in September 2014. At this point 60 additional places will be available for Year 3 intake at the new primary school and parents could apply for these places. The new school would therefore from September 2014 include pupils in Reception Year, Years 1, 2 and 3.

#### **STATUTORY CONSULTATION PROCESSES TO EXPAND SCHOOLS AND CHANGE PUBLISHED ADMISSION NUMBERS**

11. The process to determine Published Admission Numbers (PANs) and the permanent expansion of individual schools are separate processes.
12. PANs are consulted upon as a part of the statutory consultation process on determining admission arrangements for schools, almost 18 months in advance of the year in which pupils are admitted. The statutory consultation process for determining admission arrangements for community schools for September 2011 is already completed. This is prior to decisions on expansion proposals being made through the required statutory consultation process.
13. The time line and process requirements for Published Admission Numbers are the same as described above for voluntary aided and foundation schools which are their own admission authorities and therefore responsible for determining their own admission arrangements.
14. Proposals to expand a schools capacity by either 25% or 200 pupils (1FE) will need to be the subject of a statutory proposal which will include consultation and the publication of a Public Notice.
15. Once a proposal for expansion has been determined the Local Authority is required to apply to the Schools Adjudicator for an in-year variation to the PAN for that school. Only once the variation has been agreed can the expansion proposal be implemented for September 2011.

## **THE PROVISION OF ADDITIONAL PLACES FOR ADMISSION TO RECEPTION CLASS in 2010**

16. Additional classes for 2010 were able to be published in advance of known parental preference. To date actual admissions are less than 1% variance from expectation and the number of surplus places in the system is expected to be approximately 3.5%, and the assumed surplus is 5%. Additional places will open as published with the exception of one class.
17. The addition of temporary classes in some of the more popular schools in Kingston in each of the past three years has had a negative impact on the numbers of applications at other less popular schools. This has resulted in a relatively few schools holding all of the surplus places on behalf of the wider schools community. Schools that have more than 5% of places vacant are compensated financially through the local schools funding formula to reduce the adverse impact that this can have. There is, therefore, a cost borne by all schools of keeping vacant places in the system. This is not a positive outcome however and schools with vacancies can be perceived by some parents as less desirable than an oversubscribed school.
18. It is therefore important that as the permanent expansion plan is implemented that care is taken not to create places that whilst required in the short-term may not be needed after a year or two. It is proposed that as part of the expansion strategy the assumed percentage of surplus places be reduced from the current 5% (i.e. approximately 3 forms of entry) to nearer 2% (1 form of entry) until the forecast and actual pupil numbers have stabilised. This approach should ensure that there are sufficient school places for every child that needs one, whilst not investing capital and revenue funding in places that will be vacant, whilst ensuring that no one school has an excessive number of vacant places.

## **EXPANSION OF SECONDARY PROVISION**

19. At its meeting on 31<sup>st</sup> March 2010 the Executive approved the contents of the Transformational Overview section of the Strategy for Change and delegated authority to the BSF Programme Director and Director of Learning & Children's Services (Interim) to agree the contents of the Strategy for Change submission to PfS. Following this approval the Strategy for Change documentation was submitted to PfS on 17<sup>th</sup> May 2010.
20. At its meeting on 31<sup>st</sup> March 2010 the Executive also approved the use of PfS frameworks and standard documentation in relation to any procurement necessary for the delivery of the BSF programme and approved the suspension of some and modification of other contract standing orders for this purpose.

21. As a condition of acceptance onto the programme following the Remit Meeting, the Council has committed to submit our Outline Business Case by 29th November 2010.
22. The Strategy for Change identifies the need for the expansion of 16 forms of entry in secondary education. This is expected to be provided with 8 forms of entry in the new secondary school in the North of the Borough and the expansion of all 8 non selective schools by one form of entry.

### **Progress on the new secondary school in the North of the Borough**

23. On January 15<sup>th</sup> 2010 the Council opened a consultation on the new secondary school. The consultation closed on 26<sup>th</sup> February following extensive circulation and a public meeting held at Fern Hill Primary school on Tuesday 9<sup>th</sup> February 2010. The full report is available at: <http://modern.gov.kingston.gov.uk/mgConvert2PDF.aspx?ID=21400>
24. In total 2,141 responses were received to the consultation. Of these 52.8% were received by post and 47.2% as online responses. This represents the largest ever response to a school reorganisation proposal in the Borough. The consultation showed a significant majority in favour of a new school being provided in North Kingston and strong support for the school to be co-educational and non-selective.
25. There was a more balanced response to the aspects of the proposal to base the school on the North Kingston Site and for the school to have 8 Forms of Entry. More responses agreed than disagreed with each of the aspects of the proposals with the exception of the proposed size of the school (8FE). In this case more respondents disagreed than agreed with the proposal (40.8% disagreed compared with 38.7% agreed).

At its meeting of 9<sup>th</sup> March 2010 the Executive RESOLVED that:

1. the outcomes of the consultation be noted and the specification for the new school as set out in the consultation document be confirmed;
  2. it be agreed to proceed to the competition stage of the statutory process to establish a new secondary school; and
  3. the work being undertaken to develop the design proposals and the development brief approach be noted.
26. A consultation on the Draft Planning Brief for the redevelopment of the North Kingston Centre site for a new 8 form of entry secondary school for 11-18 olds is underway. The brief will be reported to Kingston Town Neighbourhood and Development Control Committees for comment. Consultation responses and the finalised brief for adoption will be reported to the Executive on 29<sup>th</sup> September 2010. The full brief is available at [www.kingston.gov.uk/planning/nkcbrief](http://www.kingston.gov.uk/planning/nkcbrief)

## **Operation of new North Kingston secondary school**

1. In accordance with current legislation the local authority is not automatically the operator of a new school. The Authority must run a competition to select an operator based on a set of criteria set out in the competition documents. The Competition process is managed on behalf of central government and all interested potential providers attended a meeting in Kingston on 18<sup>th</sup> May 2010. All interested provider must submit bids for judgement by 23<sup>rd</sup> August 2010. The provider competition is expected to close around October 2010.
2. As an outstanding authority for Children's Services, the Authority has the option to take part in the competition and therefore become one of the bidders for the running of the school. If the Authority bids then the running of the competition and the evaluation of bids will be undertaken by the Office of the Schools Adjudicator as the Authority would have a conflict of interest.

## **CONCLUSIONS**

27. The Local Authority has a statutory duty to ensure that there are sufficient school places for all children who need one and will continue to prioritise the delivery of appropriate solutions to discharge this duty. It is recognised that there is a need to provide certainty as soon as possible for parents and schools regarding the provision of additional reception year places in primary schools that are needed permanently from 2011.31. This report updates the forum on the strategy for permanent expansion of primary places. The strategy is subject to three separate statutory consultation processes (Published Admission Number, Permanent Expansion and Planning), along with the identification of the resources necessary to deliver the required physical changes in schools. 32. The School Admissions Forum will be kept informed of developments in order to identify any additional strategies required to ensure smooth admissions to primary schools for the academic year starting in September 2011 and to secondary education from September 2015 onwards.

## **EQUALITY IMPACT ASSESSMENT IMPLICATIONS**

3. There are no specific equalities implications arising from these proposals at this stage however in moving forwards the authority will need to be satisfied that its proposals promote inclusion including removing barriers to achievement and progress for all and championing the needs of all pupils including underperforming group, vulnerable groups, those at risk of exclusions and "hard to reach" pupils and families.

## **ENVIRONMENTAL IMPLICATIONS**

4. There are no environmental implications arising from the proposals at this stage however in moving forwards the authority will need to satisfy PfS that its expansion proposals promote sustainable behaviours in its

schools and community and that the authority plans to reduce energy use.

### **Annexes**

Annex 1 STRATEGY FOR THE PERMANENT EXPANSION OF PRIMARY SCHOOL PLACES; CONSULTATION RESPONSES FOR SOUTH OF THE BOROUGH AND MALDENS AND COOMBE, 30<sup>th</sup> June 2010

Annex 2 STRATEGY FOR THE PERMANENT EXPANSION OF PRIMARY SCHOOL PLACES; CONSULTATION RESPONSES FOR KINGSTON AND SURBITON SCHOOLS, 8<sup>th</sup> June 2010

**Background papers:** held by Tina Herring (author of report) [tina.herring@rbk.kingston.gov.uk](mailto:tina.herring@rbk.kingston.gov.uk)

1. Primary expansion: Reports to Executive Committees 9<sup>th</sup> December 2009, 8<sup>th</sup> and 30<sup>th</sup> June 2010
2. Secondary expansion and BSF: Reports to Executive meetings on 24<sup>th</sup> June 2008, 9<sup>th</sup> December 2008, 3<sup>rd</sup> November 2009, 1<sup>st</sup> December 2009 and 31<sup>st</sup> March 2010.

**STRATEGY FOR THE PERMANENT EXPANSION OF PRIMARY SCHOOL PLACES;  
CONSULTATION RESPONSES FOR SOUTH OF THE BOROUGH AND MALDENS AND  
COOMBE SCHOOLS**

Report by the Director of Learning & Children's Services (Interim)  
Executive Member for Education for All

**Purpose**

The Local Authority has a statutory duty as the commissioner of school places in the area to ensure that there are sufficient places and schools across the area to promote diversity and increase parental choice. A Strategy for the Permanent Expansion of Primary School Places was approved at Executive on 1 December 2009 to meet the need for places of a rising school aged population. Budget Council on 25 February 2010 approved a capital budget of £42 million for 2010-2012, with a total commitment of up to £70 million over 5 years, for the accommodation changes needed to deliver the Strategy. The statutory process for expanding fourteen primary schools, and the creation of a new primary school in Surbiton, started in March 2010. This report summarises the second phase of consultation undertaken regarding the proposals for the South of the Borough and Malden and Coombe areas.

The report also provides an update on recently available revised school places projections and also reflects the increasingly uncertain financial context in which the decisions to undertake major capital adaptations at schools must be made. The Executive is requested to indicate their support for progressing to the next stage of statutory consultation for each of the schools in the Strategy.

**Action proposed by the Executive Member for Education for All**

The Executive is recommended to:

1. note the consultation responses received from respondents to the proposals for the South of the Borough and Maldens and Coombe areas;
2. consider the overall strategy for expansion taking into account the consultations for Kingston Town and Surbiton school proposals reported to 8 June Executive, the latest forecast pupil numbers and overall capital resources available;
3. confirm the decision to publish a Public Notice for schools in Phase 1 of the Strategy to enable an additional 255 permanent places (8.5 forms of entry) to be available from September 2011;
4. confirm those schools about which a decision to publish a Public Notice to expand will be deferred until a review is undertaken in February 2011 to determine that funding and pupil projections indicate this is appropriate;
5. note that the decision to publish a notice for the identified school expansion in phase 1 may exceed the approved capital budget of £42m and that the final approval will be subject to either securing the additional funding or the actual costs being within the approved budget; and
6. agree the action proposed by the Director of Learning & Children's Services (Interim) to ensure that there are sufficient school places available for September 2011, reflecting the decisions taken under 3, 4 & 5 above and the revised programme to establish a new school in Surbiton.

**Reason for action proposed**

To meet the Local Authority's statutory responsibility to secure sufficient school places.

## **BACKGROUND**

1. The Local Authority has a statutory duty as the commissioner of school places to ensure that there are sufficient school places for all children who need one, to ensure fair access to educational opportunities, to ensure that there are sufficient schools in their area and promote diversity and increase parental choice.
2. In response to an identified need to permanently expand primary provision the Executive approved the Strategy for the Permanent Expansion of Primary School Places on 1 December 2009. Budget Council on 25 February 2010 approved a capital budget of £42 million for 2010-2012, with a total commitment of up to £70 million over 5 years, for the accommodation changes needed to deliver the Strategy.
3. Confirmation of the resources required to deliver the Strategy enabled the Local Authority to commence statutory consultation in March 2010 regarding the proposals to expand fourteen existing primary schools and to establish a new primary school in Surbiton.
4. This report summarises the current information available regarding latest pupil number forecasts, the outcome of recent consultation regarding the Kingston expansion proposals, the changing supply of school places in neighbouring authorities and the changing national and local financial context in which the expansion plans must be funded.
5. The proposals in this report should be considered in conjunction with the overall information update reported to Executive on 8 June including information regarding the outcome of consultation in the Kingston Town and Surbiton areas.

## **STATUTORY CONSULTATION – PROCESS**

6. Proposals to expand a schools capacity by either 25% or 200 pupils (1FE) are the subject of a statutory proposal which includes consultation as the first stage, and a subsequent publication of a Public Notice.
7. Before issuing the Public Notice consultation must have taken place regarding the proposal and the implications for the school and other stakeholders. Therefore in addition to on-going discussion and involvement of each school Governing Body the Local Authority held a public meeting at each school. At this meeting the case for expanding the school was made along with an outline of the revised accommodation requirements that will be needed at the school (subject to the separate statutory planning process). Details regarding the resources available to deliver the proposal forms part of the prescribed information that must be available when the statutory Public Notice is published.
8. On expiration of the Public Notice (after 4 weeks) the Local Authority makes the decision on whether to proceed with the proposal. In the case of primary schools it can be implemented unless an appeal is received from any of the following within 4 weeks of the decision: -

- Church of England Diocese
  - Bishop of local RC Diocese
  - Governing Body of Community School that is proposed for expansion
  - Governing Body/Trustees of Foundation or Voluntary School that is proposed for expansion
9. If an appeal is received then the proposal is automatically referred to the Schools Adjudicator for determination.
10. Once a proposal for expansion has been determined the Local Authority is required to apply to the Schools Adjudicator for an in-year variation to the Published Admission Number for that school. Only once the variation has been agreed can the expansion proposal be implemented for September 2011.
11. The statutory consultation was undertaken in two phases:
- a. consultation on expansion of schools in the Kingston Town and Surbiton Areas concluded on 10 May 2010 and the outcome was reported to Executive on 8 June 2010.
  - b. In the Maldens & Coombe and South of the Borough areas, consultation commenced on 19 April 2010 and closed on 1 June 2010. Public Consultation Documents were sent to all parents/carers of primary aged children at schools in these areas, as well as to pre-schools, doctors' surgeries, libraries and other statutory consultees. In addition documents were placed prominently on the RBK website and press releases and other publicity sought to raise awareness of the proposals. One public meeting was held in each of the schools subject to an expansion proposal by the end of April.
12. If Public Notices are agreed for schools in the expansion strategy the objections/comments received will be considered by the Executive on 7 September 2010.
13. The statutory process allows for a Public Notice to be published within 12 months of the first stage of statutory consultation being undertaken. Therefore in the event that the Executive wish to phase the expansion plans and defer a decision regarding some schools it is possible to issue a Public Notice in early 2011, with the increased Published Admission Number for the school concerned being effective from either 2011 or 2012.

## **STATUTORY CONSULTATION – SUMMARY OF RESPONSES**

14. The full results and a summary of the responses received regarding South of the Borough and Maldens and Coombe schools is attached at Annex 1. A full record of all comments received has been placed in the Members Room.
15. In total, 66 responses were received regarding the plans to expand two South of the Borough Primary schools. A substantial majority of respondents were in favour of the overall Strategy, and more people indicated support than against for expansion at both of the named schools.

16. A total of 180 responses were received regarding the plans to expand four primary schools in the Maldens and Coombe area. A majority of respondents were in favour of the overall Strategy, and more people indicated support than against for expansion at each of the named schools. There was, however, a far closer view expressed regarding expansion of Christ Church New Malden Primary school; almost the same number of respondents were in favour (76) as against (74).

17. The Local Authority response to the issues raised is included in **Annex 1**.

### **STRATEGY FOR PERMANENT EXPANSION OF PRIMARY SCHOOLS**

18. The Executive approved the Strategy to expand schools in December 2009. Since then the proposed new school on part of the redeveloped Surbiton Hospital site has been confirmed as a two form entry (60 pupils per year group), rather than a three form entry school (90 pupils per year group). The current Strategy therefore provides for up to an additional thirteen and a half forms of entry (405 places):

<b>STRATEGY FOR PERMANENT EXPANSION PRIMARY SCHOOLS</b>			
School Places Planning Area	School	Permanent Change to Published Admission Number (forms of entry)	Expanding to Published Admission Number (forms of entry)
Kingston Town	Latchmere School	+30	120 (4 fe)
	Fern Hill Primary	+30	90 (3 fe)
	King Athelstan Primary	+30	90 (3fe)
	Alexandra Infants & St Pauls Junior	+30	90 (3fe)
Surbiton	St Matthew's Primary	+15	60 (2fe)
	Grand Avenue Primary	+30	90 (3fe)
	New School	+60 or +90	60 (2fe) or 90 (3fe)
Malden & Coombe	Burlington Infants & Junior Schools	+30	120 (4fe)
	Christ Church New Malden Primary	+30	90 (3fe)
	Corpus Christi Primary	+30	90 (3fe)
	Malden Manor Primary	+30	90 (3fe)
South of the Borough	Ellingham Primary	+30	60 (2fe)
	Lovelace Primary	+30	90 (3fe)
TOTAL Permanent Places	Currently 1,575 (52.5fe)	+405 (13.5fe)	1,980 places (66fe)

19. Neighbouring authorities are also experiencing similar increased need for primary school places and are implementing their own expansion plans. Where schools situated close to the borough boundary have temporarily, or are planned to permanently, expand this may have some impact on the effect of the Kingston expansion plans.

20. The latest information indicates that Merton intend to implement an additional 16 forms of entry by 2011, with a further 2 forms of entry planned for 2012.

The biggest areas of pressure are however in the eastern part of the Borough, away from the Kingston boundary. The only new proposed expansion in the area adjacent to New Malden is not at a school close to the borough boundary and should not impact on the proposed expansion of Burlington Infant and Junior Schools'.

21. Sutton have expansion plans that they are consulting on to expand by up to 6 forms of entry, and have recently confirmed that they expect to progress with expansion of one popular primary school in Worcester Park area near to Green Lane Primary school.
22. Richmond experienced increased birth rate ahead of many other outer London authorities and has had an expansion strategy in place for some time. This comprises a mixture of permanent expansion and temporary places added on a rotational basis amongst schools in a locality. They have no plans to expand near to the Kingston border.
23. Wandsworth are adding 4 forms of entry on a permanent basis with a further 2.5 forms of entry on a temporary basis for 2011 compared with the 2009 level, but these are not expected to impact on Robin Hood Primary which is the only school typically affected by cross boundary pupil movement.
24. Surrey County Council are experiencing differential changes in pupil numbers across the County but have increased need for places in the northern end, and have added additional places in Thames Ditton for 2010. They are currently reviewing the sufficiency of places in Elmbridge and Epsom and Ewell areas with a view to possible expansion from 2011.

## **LATEST FORECAST OF PRIMARY PUPIL NUMBERS**

25. As previously reported to the Executive there are a number of factors which can affect the need for a state school place in Kingston. They can be summarised as:
  - (i) the local birth rate (which has increased by 23% from 2002/3 to 2007/08),
  - (ii) an increasing proportion of the birth cohort applying for a school place (now at the higher level of 89 to 90% for the last three years of admissions, compared with a historic rate of around 80%)
  - (iii) increased families moving into Kingston (typically outward migration in London)
  - (iv) the economic downturn reducing mobility of families moving out of outer London
  - (v) the economic downturn potentially affecting parental choice regarding use of the independent sector.
26. The biggest factor continues to be the significant increase in the birth rate in Kingston and in many other parts of outer London.

27. There are 1,780 children expected to start reception year in Kingston in September 2010. The actual number will not be confirmed until the Schools Census is undertaken in September, but the projections allow for pupils moving out of the area, parents choosing not to take up the offer of a Kingston state school place, and new families moving into the area in the next 4 months. This would result in 65 surplus places available for families moving into the area during the seven years that this cohort will be in primary education (net of any other families moving in or out of the borough). This level of surplus places equates to 3.5% of the 1,845 places available for September 2010, having added nine classes on a temporary basis.
28. Recent discussions regarding the latest population and primary school applications data with the Greater London Authority School Roll Projection service informed updated pupil place projections. These forecasts confirm the sustained increased need for places that has underpinned the Strategy to date.
29. The Greater London Authority (GLA) formulate their own population data which informs the London Plan, and is used by the GLA School Roll Projection service. The birth data uses monthly data from July to June each year which is the available data that most closely correlates with the ages of children eligible to start school each academic year. The revised GLA projections are based on the latest available birth figures of Borough residents for 2007/08 of 2212 live births. The GLA forecast that 2008/09 will be broadly similar to this, followed by a steady decline in the number of births by 2020 to a level in line with the numbers of births in 2004/05 and 2005/06 (i.e. a 12% increase from the historic relatively stable level in 2001).
30. The GLA has recently revised its assumptions downwards regarding fertility rates within London which has resulted in a slightly reduced projected increase in school aged children. This is the main reason for the reduction in the forecast number of pupils which were previously forecasting an additional 15FE as being required. However the latest demography information which has only been received in recent weeks confirms a lower than expected forecast birth rate figure over the next 10 years.
31. The revised projections indicate a slight reduction in the projections for 2013/14 onwards, but this is only a 2% change from the previous version. There is still a need for permanent expansion of primary school places. The projections do however indicate a potential peak in demand around 2012-14, with an underlying increase continuing beyond that of around 300 extra places i.e. 10 forms of entry (before allowing for surplus capacity required in the system of around 5%).
32. A summary of the latest projections indicates:

School Year	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Reception pupils projected (based on GLA school roll projections)	1780	1888	1933	1930	1900	1878	1856
Capacity without expansions	1575	1575	1575	1575	1575	1575	1575
Shortfall of places	205	313	358	355	325	303	281
Additional Classes for number of children	7	11	12	12	11	11	10
<b>Additional classes for some spare capacity</b>	<b>9</b>	<b>12.5</b>	<b>13.5</b>	<b>13.5</b>	<b>12.5</b>	<b>12.5</b>	<b>11.5</b>

33. The above information based on GLA projections and assumptions needs to be considered alongside the most recent information supplied by the Office of National Statistics (ONS) regarding the provisional birth data for 2009. This will be confirmed by August 2010 but indicates that in line with many other outer London boroughs the birth rate in Kingston for 2009 has continued to increase and is higher than that recorded for 2009 (an additional 72 births). This equates to a 30% increase in the birth rate since 2001. This information exceeds the GLA assumptions, but is still subject to verification and will need to be annualised to reflect the academic year cohort. This new information lends weight to the view that there is a sustained need for expansion but that the degree to which all of the current increase may be permanently required is still unclear and will be kept under regular review.

34. Of particular note is that the latest information indicates that the recent increase in births has been twice as rapid in Outer London boroughs compared to Inner London boroughs, with 72% of the London increase being in Outer London boroughs. Some outer London Boroughs appear to have had peak numbers of births in 2008 including Richmond and Croydon in 2008. Other Outer London Boroughs continue to have significant increases, in particular Sutton, and Enfield, so the birth rate for Kingston will need to be kept under review until we are confident that the birth rate is slowing down or has peaked.

## **PRIMARY CAPITAL PROGRAMME STRATEGY PRIORITIES**

35. The Primary Expansion Strategy has been developed with reference to a number of factors; the existing pattern of school places, parental preferences expressed in applications for school, the range of consultations undertaken with interested parties, and the views of individual school governing bodies.

36. One of the sources of funding for the expansion plans is the Primary Capital Programme (PCP). This is estimated based on the previous

government's announcements at £21m over the 7 year period 2011/12 to 2018/19. An intention was therefore also to incorporate into expansion plans wherever possible the agreed priorities within the Primary Capital Programme Strategy adopted by Executive in June 2008 and approved by the Department for Children, Schools and Families in November 2008.

37. These are summarised below, with an indication of the extent to which the priorities are reflected in the expansion strategy:

<b>Identified priorities for first 2 years 2009/10 and 2010/11</b>		
Sufficient school places	Temporary and permanent basis	Delivered – funding from 2009/10 and 2010/11 has contributed £5.4m towards the costs to date
Co-location of Castle Hill Primary School	Building expansion works due to be completed 2010	Delivered – £3m PCP funding
Kitchen and Dining facilities	New / replacement kitchen and dining facilities	Incorporated into schemes e.g. Castle Hill and Latchmere
SEN provision	Additional specialist resourced provision needed as part of SEN Strategy	New provision included in specification for new Surbiton primary school
Tolworth Infant & Junior School site	Integrated kitchen & dining facilities, Children's centre and community hub	Scheme progressing; planning application secured 2010; tenders awaited
<b>Other Priorities to be considered within first 4 years 2009/10 to 2012/13</b>		
Co-location of Christ Church New Malden Primary	New site to be identified for redevelopment of school on a single site	Unable to identify appropriate site. Expansion Strategy but scheme includes rebuilding Junior School on separate site.
Schools with high need assessed using Priority Matrix	Schools with high need to address condition, suitability or sufficiency requirements	
- King Athelstan	Accommodation undersized if all year groups at capacity	Expansion Strategy
- Ellingham Primary		Expansion Strategy
- Burlington Infants		Expansion Strategy
- Lovelace Primary		Expansion Strategy
- Corpus Christi		Expansion Strategy
- St Josephs Primary		
- Tolworth Junior		
- Green Lane Primary		
- Mount Primary		

## FINANCIAL IMPLICATIONS

38. Budget Council on 25 February 2010 approved a capital budget of £42 million for 2010-2012, with a total commitment of up to £70 million over 5 years, for the accommodation changes needed to deliver the Strategy.

39. The £42m comprises a mixture of confirmed and anticipated capital grant funding:

Confirmed:

Emergency Basic Need Safety Valve allocation (notified 30 November 2009)	£8.2m
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Plus estimated future allocations (none confirmed):

Primary Capital Programme 2011-14	£9.0m
Basic Need grant 2011-14	£17.0m
Schools Devolved Formula Capital 2011-14	£0.6m
LCVAP 2011-14	£0.3m
Future S106 contributions 2009-14	£1.0m
Prudential Borrowing	£5.9m

TOTAL Approved Programme 2012-2014	£42.0m
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40. The unconfirmed funding reflects an informed view of the estimated funding that is likely to be available to meet permanent expansion in the period 2011-14. It is assumed that national funding to provide additional school places (Basic Need) will be allocated as capital grant over the seven-year period 2011-18 in line with the primary school life of a pupil entering a school in September 2011. On this basis a further allocation of £23m could be anticipated in the following comprehensive spending review period after 2014.

41. When the first tranche of £8.3m additional basic need funding was announced on 30 November 2009 the Minister of State for Schools and Learners noted that "this funding does not, of course, address the longer term place pressures from the rising birth rate, from 2011 and beyond. Targeting carefully to this need is something that we will prioritise as we consider the capital settlement in the next spending review round for investment from 2011-12 until 2103-14."

42. Kingston officers have requested information about current and future capital funding for school places from both the Department for Education and Partnerships for Schools, who oversee all schools capital programmes on behalf of the DfE, but have been advised that no decisions have been taken. It is anticipated that the Budget on 22 June 2010 may indicate capital grant priorities for the future at a national level.

43. The Strategic Director of Finance advises in the current financial context that a strategy needs to be developed that enables sufficient school places to be provided within an overall funding envelope of approximately £42m, in line with the current approved capital programme 2010-2012.

44. It is anticipated that there will be announcements regarding capital grant funding for the expansion of school places (“basic need” funding) later this year. There may be general information regarding capital investment levels in the Budget on 22 June, but it is most likely that no firm information will be available until after the government’s Comprehensive Spending Review timetables for Autumn 2010. This should provide a three-year estimate of resources available for all public sector expenditure and should enable Kingston to determine the affordability of the whole school expansion strategy as originally envisaged i.e. up to £70million of capital investment.

## **EXPANSION OF EXISTING SCHOOLS - PLANNING PROCESS**

45. Design proposals for a scheme at each school in the expansion strategy are being finalised and were consulted on from 17 May to 4 June 2010 in a pre-application (planning) consultation. This took a number of forms: -

a) Residents living in the local area to any site subject to expansion and parents/carers were invited to attend an informal drop-in session for each proposal to enable them to see the design proposals, make comments and ask questions. These took place at all schools between 17 and 27 May from 3-7pm. It is estimated that up to 400 people attended one of the 12 sessions (368 people signed in).

b) Plans for each neighbourhood area were available in local libraries from 17 May 2010 to 4 June 2010.

c) All plans were online at [www.kingston.gov.uk/primary\\_plans](http://www.kingston.gov.uk/primary_plans) from 17 May to 4 June 2010.

d) Design plans were displayed at Neighbourhood Committee meeting venues from 6.30pm – 7.30pm on 26 and 27 May

46. In view of transport and access related concerns about school expansion and its potential impact on local areas and the highway network, working groups have been set up for six schools with the most pressing issues. At the pre-application drop-in sessions residents were asked to indicate if they wanted to take part in a working group in order to discuss local issues and concerns and try to address them. Additionally, updated School Travel Plans will be required for all expanding schools.

47. Following the pre-application consultation schemes are being finalised and planning applications are being submitted from mid-June onwards (with formal statutory planning consultation to follow). The Council’s Planning Department are notifying residents once the planning applications have been submitted with an invitation for further comments on the proposals. The planning applications will be reported to the Neighbourhood Committees in September and October for comment and will be determined by the Council’s Development Control Committee in September and October 2010.

48. In the event that the Executive phase the expansion strategy only the Phase 1 school planning applications will be submitted according to the above timescale. Applications relating to schools in Phase 2 will be deferred until after a review is undertaken in February 2011.

## NEW SURBITON PRIMARY SCHOOL PROJECT UPDATE

49. The report to the Executive on 8 June 2010 provided an update on the project to re-develop the current Surbiton Hospital site to provide new health facilities and create a new two form entry primary school. The report also indicated the responses to the first stage of the statutory consultation undertaken regarding the proposal to establish the new school. A clear majority of responses (79%) supported the creation of the new school, as part of the overall Primary Places Strategy.

50. Assuming that the Executive wish to proceed to establish the new school the next stage of the process is to begin the competition process to establish the provider of the new school. Under the statutory consultation process this can commence within 12 months of the first stage consultation i.e. by May 2011. RBK should only commence the competition phase when it has certainty regarding the ability to deliver the new school buildings. In the case of the Surbiton Hospital project this requires the negotiations regarding the land transfer to be finalised and the business case that NHS Kingston must make to the Strategic Health Authority to be agreed (estimated to be by October 2010).

51. The revised programme for the Surbiton Hospital project has the following key milestones:

- July 2010: PCT Board approves and submits Stage 1 “detailed feasibility” to Strategic Health Authority (SHA)
- Summer 2010: Pre-application (planning) consultation
- Early October 2010: Decision from SHA
- October 2010: Planning application submission
- July 2011: LIFT Financial Close
- September 2011: Main build health facilities (50 weeks)
- January 2012: phased school development (48 weeks)
- September 2012: first phase school buildings operational

52. The Primary Expansion Strategy includes two of the three and a half forms of entry required in the Surbiton area to be provided at the new school from September 2011. In view of the revised timescale and knowledge that the new school will not be open before September 2012 the Director of Learning & Children’s Services is developing a plan to ensure that there will be sufficient school places in the Surbiton area.

53. The revised Strategy for September 2011 is likely therefore, subject to negotiation with school governing bodies, to include an additional class for up to 30 pupils on a temporary basis at two local Infant schools. It is anticipated that the pupils will remain at these schools for the whole of Key Stage One (Reception and Years One and Two) until the transition to Junior School in September 2014. At this point 60 additional places will be available for Year 3 intake at the new primary school and parents could apply for these places. The new school would therefore from September 2014 include pupils in Reception Year, Years 1, 2 and 3.

## PHASED IMPLEMENTATION OF EXPANSION STRATEGY

54. When determining the expansion strategy a number of guiding principles were agreed:
- maintain outstanding education in RBK
  - minimise the use of temporary accommodation
  - pupils able to attend a local school (within two miles)
  - parental preference - expand popular and high achieving schools which are on sites that are physically capable of expansion
  - primary schools should be 1 to 4 forms on entry in size, infant & junior schools 2 to 4 forms of entry
  - class sizes should be 30 pupils or fewer (across both Key Stage 1 and 2)
  - maintain balance of places between community and faith schools
  - permanent accommodation changes be made to schools in line with government guidelines (Building Bulletin 99)
55. It is therefore important to ensure that any school that is permanently expanded has the appropriate capital investment to provide appropriate accommodation for the increased number of pupils attending the school. This will typically require alterations to the following areas:
- Classrooms
  - Curriculum space and corridors
  - Enlarged / new halls
  - Kitchen & dining facilities
  - Toilets
  - Outdoor curriculum & play space
  - Staff areas
56. There is therefore a significant capital investment required at any school that is permanently expanded and the associated costs range from £3.5m to £6.5m depending on the existing accommodation and site issues to be addressed. Throughout the consultation undertaken with schools, families and residents it has been confirmed that a school would only be expanded if the resources are available to undertake all of the necessary accommodation changes.
57. It is recommended that in view of the significant investment required at each school and the recent changing demographic information and assumptions it may be prudent to progress with permanent expansion of popular schools in areas where there is a clearly demonstrated rise in the school aged population but to defer expanding all schools in the Strategy until there is greater clarity regarding the long-term sustained need for all of the school places. Additional school places could be provided for the next year or two if required on a temporary basis as has successfully been actioned for the last three academic year intakes. This will allow the Local Authority more time to measure the need for additional permanent expansion beyond a level which a larger birth cohort demonstrates is clearly required, and to have greater certainty regarding the affordability of

the associated building works required at any school which is permanently expanded.

58. A further consideration is the need to balance the requirement that for any years intake there are sufficient school places, but not expanding on a permanent basis to an extent that should pupil numbers reduce then there is an oversupply of places, either across the Borough as a whole, or in a geographical area. The recommended approach is to have about 5% of primary school places in excess of projected need. This level of spare places can help to ensure that more parents are allocated a school places at one of their highest preference schools. The best outcome is where a significant minority of schools have a few spare places in different locations across the borough as this provides some capacity for families moving into the borough.
59. The addition of temporary classes in some of the more popular schools in Kingston in each of the past three years has had a negative impact on the numbers of applications at other less popular schools. This has resulted in a relatively few schools holding all of the surplus places on behalf of the wider schools community. Schools that have more than 5% of places vacant are compensated financially through the local schools funding formula to reduce the adverse impact that this can have. There is, therefore, a cost borne by all schools of keeping vacant places in the system. This is not a positive outcome however and schools with vacancies can be perceived by some parents as less desirable than an oversubscribed school.
60. It is therefore important that as the permanent expansion plan is implemented that care is taken not to create places that whilst required in the short-term may not be needed after a year or two. It is proposed that as part of the expansion strategy the assumed percentage of surplus places be reduced from the current 5% (i.e. approximately 3 forms of entry) to nearer 2% (1 form of entry) until the forecast and actual pupil numbers have stabilised. This approach should ensure that there are sufficient school places for every child that needs one, whilst not investing capital and revenue funding in places that will be vacant, whilst ensuring that no one school has an excessive number of vacant places.
61. Taking all of the above into account it is recommended that a phased expansion plan should be:

<b>STRATEGY FOR PERMANENT EXPANSION PRIMARY SCHOOLS</b>			
School Places Planning Area	School	Permanent Change to Published Admission Number (additional places)	Expanding to Published Admission Number (forms of entry)
<b>Phase One – Publish Public Notice July 2010 for expansion in September 2011</b>			
Kingston Town	Latchmere School	+30	120 (4 fe)
	Fern Hill Primary	+30	90 (3 fe)
	Alexandra Infants & St Pauls Junior	+30	90 (3fe)
Maldens & Coombe	Burlington Infants & Burlington Junior Schools	+30	120 (4fe)
Surbiton	St Matthew's Primary	+15	60 (2fe)
	Grand Avenue Primary	+30	90 (3fe)
	New School 2012	+60	60 (2fe)
South of the Borough	Ellingham Primary	+30	60 (2fe)
<b>Total Phase 1</b>		<b>+255</b>	<b>+8.5fe</b>
<b>Phase 2 – review during February 2011</b>			
Kingston Town	King Athelstan Primary	+30	90 (3fe)
Maldens & Coombe	Christ Church New Malden Primary	+30	90 (3fe)
	Corpus Christi Primary	+30	90 (3fe)
	Malden Manor Primary	+30	90 (3fe)
South of the Borough	Lovelace Primary	+30	90 (3fe)
<b>Total Phase 2</b>		<b>+150</b>	<b>5fe</b>
<b>TOTAL Phase 1 and 2</b>		<b>+405</b>	<b>13.5fe</b>
<b>Total</b>		<b>Current 1,575 Strategy 1980</b>	<b>Current 52.5fe Strategy 66fe</b>

62.If Phase 1 schools are progressed it is currently estimated that three additional classes will be needed on a temporary basis for September 2011 admissions, in addition to the two additional temporary classes in the Surbiton area linked with the creation of the new primary school.

63.The estimated cost of the accommodation changes required at Phase1 schools is approximately £48.5m, which exceeds the £42m allowed for in the approved capital programme for 2010/2012. it is estimated that in line

with a usual payment profile approximately 2.5% of costs will fall within the third financial year of the project i.e. approximately £1.3m will not be payable until 2012/13.

64. The works are being procured under the IESE Framework as approved at Executive on 8 June 2010. The actual contract costs of each of the schemes should be known by mid-September 2010.

## **CONCLUSIONS**

65. The Local Authority has a statutory duty to ensure that there are sufficient school places for all children who need one and will continue to prioritise the delivery of appropriate solutions to discharge this duty. It is recognised that there is a need to provide certainty as soon as possible for parents and schools regarding the provision of additional reception year places in primary schools that are needed permanently from 2011.

66. This report sets out the consultation responses to the proposals to increase permanently the number of primary school places in the South of the Borough and Maldens and Coombe areas. These proposals form part of the overall Strategy to provide places across the whole Borough.

67. In view of the continued delay in national announcements regarding additional resources to meet this statutory requirement it is proposed that:

- (i) a phased implementation plan that enables Public Notices to be published to permanently expand individual schools on a phased basis be progressed as soon as resources are confirmed, and
- (ii) discussions are progressed with all primary schools in the Autumn term to ensure that there are sufficient primary school places available for the academic year starting in September 2011, with the use of a further phase of temporary increases in admission numbers at schools in areas where applications exceed the permanent number of places available.
- (iii) A review be undertaken in February 2010 of the latest information available, including the admission applications received for September 2010 (new statutory closing date 15 January 2011), further Kingston demographic information, confirmation of neighbouring boroughs expansion plans and national announcements regarding resources for Local Authorities in general, and Basic Need capital grant funding in particular.

## **EQUALITY IMPACT ASSESSMENT IMPLICATIONS**

68. In undertaking the role of commissioner of school places in the local area the Local Authority has a statutory responsibility to ensure that there are sufficient school places for all children who need one, to ensure fair access to educational opportunities, to ensure that there are sufficient schools in their area and promote diversity and increase parental choice. The Government's stated aim is to secure a more diverse and dynamic schools system which is shaped by parents.

69. The Strategy for expansion has therefore been developed to date with reference to the existing pattern of school places, parental preferences

expressed in applications for school, the range of consultations undertaken with interested parties, and the views of individual school governing bodies.

70. There is clearly a responsibility for the Local Authority to ensure that the Strategy for expansion reflects the needs of all children in the Borough, and not just those of parents who are more able to express their views. An underlying requirement is that the Strategy will contribute to raising local standards of provision, and will lead to improved attainment for children.

71. The proposals support the detailed plans within the Children and Young People's Plan and the Strategy for Early Intervention and Prevention 'Closing the Gap'.

## **ENVIRONMENTAL IMPLICATIONS**

72. There are significant environmental implications arising from the building works that will be required to provide additional school places. The extensions to existing schools or new schools will be designed to ensure that there is improved sustainability of school buildings. Wherever possible the agreed priorities within the Primary Capital Programme Strategy adopted by Executive in June 2008 and approved by the Department for Children, Schools and Families in November 2008 will be incorporated into expansion plans. In this way it is hoped that greater efficiencies will be achieved through the rationalisation and remodelling of school buildings and the use of ICT, and that the plans will maximise the use of outside spaces for outdoor learning and play through careful landscaping.

**Background papers:** held by Anne Redparth (author of report), 020 8547 5276;

e-mail: [anne.redparth@rbk.kingston.gov.uk](mailto:anne.redparth@rbk.kingston.gov.uk)

1. Primary Capital Programme Strategy
2. Pupil Number Projections Data
3. Consultation on options for the Expansion of Primary Schools

**APPENDIX C**  
**Executive, 8 June 2010**

**STRATEGY FOR THE PERMANENT EXPANSION OF PRIMARY SCHOOL PLACES;  
CONSULTATION RESPONSES FOR KINGSTON AND SURBITON SCHOOLS**

Report by the Director of Learning & Children's Services (Interim)  
Executive Member for Education for All

**Purpose**

The Local Authority has a statutory duty as the commissioner of school places in the area to ensure that there are sufficient places and schools across the area to promote diversity and increase parental choice. A Strategy for the Permanent Expansion of Primary School Places was approved at Executive on 1 December 2009 to meet the need for places of a rising school aged population. Budget Council on 25 February 2010 approved a capital budget of £42 million for 2010-2012, with a total commitment of up to £70 million over 5 years, for the accommodation changes needed to deliver the Strategy. The statutory process for expanding fourteen primary schools, and the creation of a new primary school in Surbiton, started in March 2010. This report summarises the first phase of consultation undertaken regarding the proposals for the Kingston Town and Surbiton areas and requests the Executive to indicate their support for progressing to the next stage of statutory consultation.

**Action proposed by the Executive Member for Education for All**

The Executive is recommended to:

1. note the consultation responses received from respondents to the proposals for the Kingston Town and Surbiton areas;
2. agree to consider the overall strategy for expansion at the 30 June meeting when consultations will be completed regarding schools in the Maldens and Coombe and South of the Borough areas, and therefore;
3. defer decision to publish Public Notice to expand each school until 30 June;
4. request the Director of Learning & Children's Services (Interim) to report to the Executive meeting on 30 June 2010 with a strategy to ensure that the additional school places are available in Surbiton for September 2011, informed by a revised programme to establish the new school; and
5. note the approach to use the IESE Framework as the procurement vehicle for Kingston's Primary Expansion Strategy to enable cost effective and efficient procurement

**Reason for action proposed**

To meet the Local Authority's statutory responsibility to secure sufficient school places.

## **BACKGROUND**

1. The Local Authority has a statutory duty as the commissioner of school places to ensure that there are sufficient school places for all children who need one, to ensure fair access to educational opportunities, to ensure that there are sufficient schools in their area and promote diversity and increase parental choice.
2. In response to an identified need to permanently expand primary provision the Executive approved the Strategy for the Permanent Expansion of Primary School Places on 1 December 2009. Budget Council on 25 February 2010 approved a capital budget of £42 million for 2010-2012, with a total commitment of up to £70 million over 5 years, for the accommodation changes needed to deliver the Strategy.
3. Confirmation of the resources required to deliver the Strategy enabled the Local Authority to commence statutory consultation in March 2010 regarding the proposals to expand fourteen existing primary schools and to establish a new primary school in Surbiton.

## **STATUTORY CONSULTATION – PROCESS**

4. Proposals to expand a schools capacity by either 25% or 200 pupils (1FE) are the subject of a statutory proposal which includes consultation as the first stage, and a subsequent publication of a Public Notice.
5. Before issuing the Public Notice consultation must have taken place regarding the proposal and the implications for the school and other stakeholders. Therefore in addition to on-going discussion and involvement of each school Governing Body the Local Authority held a public meeting at each school. At this meeting the case for expanding the school was made along with an outline of the revised accommodation requirements that will be needed at the school (subject to the separate statutory planning process). Details regarding the resources available to deliver the proposal forms part of the prescribed information that must be available when the statutory Public Notice is published.
6. On expiration of the Public Notice (after 4 weeks) the Local Authority makes the decision on whether to proceed with the proposal. In the case of primary schools it can be implemented unless an appeal is received from any of the following within 4 weeks of the decision: -
  - Church of England Diocese
  - Bishop of local RC Diocese
  - Governing Body of Community School that is proposed for expansion
  - Governing Body/Trustees of Foundation or Voluntary School that is proposed for expansion
7. If an appeal is received then the proposal is automatically referred to the Schools Adjudicator for determination.

8. Once a proposal for expansion has been determined the Local Authority is required to apply to the Schools Adjudicator for an in-year variation to the Published Admission Number for that school. Only once the variation has been agreed can the expansion proposal be implemented for September 2011.
9. The statutory consultation is being undertaken in two phases:
  - (i) Consultation on expansion of schools in the Kingston Town and Surbiton Areas commenced on 15 March 2010 and concluded on 10 May 2010. Public Consultation Documents were sent to all parents/carers of primary aged children at schools in these areas, as well as to pre-schools, doctors surgeries, libraries and other statutory consultees. In addition documents were placed prominently on the RBK website and press releases and other publicity sought to raise awareness of the proposals. One public meeting was held in each of the schools subject to an expansion proposal by the end of March.
  - (ii) In the Maldens & Coombe and South of the Borough areas, consultation commenced on 19 April 2010 and closes on 1 June 2010. Details of the consultation responses will be brought to Executive on 30 June 2010.
10. Public Notices for all schools and the objections/comments received will be considered by the Executive on 7 September 2010.

## **STATUTORY CONSULTATION – SUMMARY OF RESPONSES**

11. The full results and a summary of the responses received is attached at **Annex 1**. A full record of all comments received has been placed in the Members Room.
12. In total, 240 responses were received regarding the plans to expand Kingston Town Primary schools by four forms of entry. A majority of respondents were in favour of the overall Strategy, and more people indicated support than against for expansion at each of the named schools.
13. A total of 161 responses were received regarding the plans to expand two primary schools in the Surbiton area. A substantial majority of respondents were in favour of the overall Strategy, with large majorities in favour of the proposals at each of the named schools.
14. A further 326 responses were received regarding the proposal to establish a new school on part of the Surbiton Hospital site. These showed a clear majority supporting the overall Strategy and the new school.
15. The Local Authority response to the issues raised is included in **Annex 1**.

## **ADMISSIONS TO PRIMARY SCHOOLS FOR SEPTEMBER 2010**

16. The permanent number of primary school places in each year group is 1,575. An additional 300 Reception Year places were added on the basis of a temporary change to the planned admission number across 11 schools to meet the forecast increase in demand for places:

Name of School	Number of Additional Places
Castle Hill Primary School	30
Corpus Christi Catholic Primary School	30
Grand Avenue Primary & Nursery School	30
King Athelstan Primary School	30
Knollmead Primary School	15
Lovelace Primary School	30
Malden Manor Primary and Nursery School	30
St Agatha's Catholic Primary School	30
St Joseph's Catholic Primary School	30
St Luke's C of E Primary School	30
St Matthew's C of E Primary School	15

17. The latest projections of need for reception year places for September 2010 in Kingston are set out in the table at **Annex 2**. 1,780 pupils are now expected to start school, rather than the forecast of 1,801; a reduction of 21 pupils and a 1% variance on the projection. The actual number will not be confirmed until the Schools Census is undertaken in September, but the projections allow for pupils moving out of the area, parents choosing not to take up the offer of a Kingston state school place, and new families moving into the area in the next 4 months.

18. In view of the slightly lower than anticipated need for places and the actual geographical pattern of applications the Director of Learning & Children's Services (Interim) has consulted with the Governing Body at King Athelstan Primary School and agreed to remove the additional 30 places proposed on a temporary basis for September 2010.

## **STRATEGY FOR PERMANENT EXPANSION OF PRIMARY SCHOOLS**

19. The Executive approved the Strategy to expand schools in December 2009. Since then the proposed new school on part of the redeveloped Surbiton Hospital site has been confirmed as a two form entry (60 pupils per year group), rather than a three form entry school (90 pupils per year group). The current Strategy therefore provides for up to an additional thirteen and a half forms of entry (405 places):

<b>STRATGEY FOR PERMANENT EXPANSION PRIMARY SCHOOLS</b>			
School Places Planning Area	School	Permanent Change to Published Admission Number (forms of entry)	Expanding to Published Admission Number (forms of entry)
Kingston Town	Latchmere Primary	+30	120 (4 fe)
	Fern Hill Primary	+30	90 (3 fe)
	King Athelstan Primary	+30	90 (3fe)
	Alexandra Infants & St Pauls Junior*	+30	90 (3fe)
Surbiton	St Matthew's Primary*	+15	60 (2fe)
	Grand Avenue Primary	+30	90 (3fe)
	New School	+60 or +90	60 (2fe) or 90 (3fe)
Malden & Coombe	Burlington Infants & Junior Schools	+30	120 (4fe)
	Christ Church New Malden Primary*	+30	90 (3fe)
	Corpus Christi Primary**	+30	90 (3fe)
	Malden Manor Primary	+30	90 (3fe)
South of the Borough	Ellingham Primary	+30	60 (2fe)
	Lovelace Primary	+30	90 (3fe)
TOTAL Permanent Places	Currently 1,575 (52.5fe)	+405 (13.5fe)	1,980 places (66fe)

20. At the time of writing this report a set of updated pupil place projections are being finalised and discussions regarding the latest population data etc are taking place with the Greater London Authority School Roll Projection service. These forecasts are expected to largely confirm the sustained increased need for places that have underpinned the Strategy to date. The revised projections will be available for the report to the Executive on 30 June following the consultation regarding expansion proposals in the Maldens & Coombe and South of the borough areas.

## **EXPANSION OF EXISTING SCHOOLS - PLANNING PROCESS**

21. At the time of writing this report design proposals for each scheme are being finalised and will be consulted on from 17 May to 4 June 2010 in a pre-application (planning) consultation. This will take a number of forms: -

- a) Residents living in the local area to any site subject to expansion and parents/carers will be invited to attend an informal drop-in session for each proposal to enable them to see the design proposals, make

- comments and ask questions. These are taking place at all schools between 17 and 27 May from 3-7pm
- b) Plans for each area will be available in local libraries from 17 May 2010 to 4 June 2010.
  - c) All plans will be Online at [www.kingston.gov.uk/primary\\_plans](http://www.kingston.gov.uk/primary_plans) from 17 May to 4 June 2010.
  - d) At Neighbourhood Committee meeting venues from 6.30pm – 7.30pm on 26 and 27 May
22. In view of transport and access related concerns about school expansion and its potential impact on local areas and the highway network, working groups are due to be set up for up to seven schools with the most pressing issues. Residents and schools will be invited to join these working groups in order to discuss the concerns and try to address them. Additionally, updated School Travel Plans will be required for all expanding schools.
23. Following the pre-application consultation, schemes will be amended, where appropriate, and planning applications will be submitted from Mid June onwards (with formal statutory planning consultation to follow). The Council's Planning Department will notify residents once the planning applications have been submitted and will invite further comments on the proposals. The planning applications will be reported to the Neighbourhood Committees in September and October for comment and will be determined by the Council's Development Control Committee in September and October 2010.

## **PROCUREMENT APPROACH**

24. The scale of the additional accommodation requirements of the primary expansion programme and the limited timescale to deliver as much of this as possible for September 2011 requires a streamlined procurement process to be used that at the same time satisfies OJEU procurement requirements.
25. A review of various framework consortia identified the preferred option being the use of the IESE (Improvement and Efficiency South East) framework. IESE is a partnership dedicated to helping local authorities and their partners achieve efficiency and improvement objectives, through shared learning and repetitive design, procurement and construction solutions. The framework available to RBK consists of 10 Contractors (including Willmott Dixon who worked successfully in partnership with RBK to deliver the Chessington Community College rebuild) that have been through a rigorous quality and cost based selection process to gain access to the framework, the selection criteria being designed specifically to deliver projects in excess of £1m in value for local authority contracts such as schools. The framework is managed by Hampshire County Council using a philosophy similar to Kingston's approach to partnership contracts i.e. this has replaced lowest price competitive tendering with long term relationships with partner contractors ensuring integrated processes & project teams, assured quality and value for money driven through benchmark data gathering.
26. A key benefit to this framework is that it is fully OJEU compliant and therefore obviates the need for a timely and costly Contractor selection process. In addition by being part of a regional framework RBK's buying power is

significantly increased throughout the supply chain, not only within the framework, but also by ensuring that all of the schemes within RBK are delivered in a consistent manner making best use of resources that are available within the framework.

27. The recognised benefits of using the IESE framework are:

- Early Contractor Involvement
- Partnering and Collaborative working
- Programmes of work across LA's.
- Good project governance through Gateway Reviews with The Office of Government Commerce
- Managed Supply Chain
- Continuous improvement measured by Key Performance Indicators
- An *actively managed* Framework

28. In order to access the Framework RBK signed in early May a Deed of Accession to the Partnership Agreement which confirms an agreement to work in accordance with the philosophy and guidelines on working practices.

## **NEW SURBITON PRIMARY SCHOOL PROJECT UPDATE**

29. RBK and NHS Kingston have worked closely in the past few months to develop design proposals to redevelop the health facilities on the Surbiton Hospital site and a new school. The new school would be accommodated on land that is surplus to health requirements, and is confirmed to be land that is large enough for a two form entry school, but not a three form entry school as initially envisaged.

30. Negotiations regarding the transfer value of the land payable to NHS Kingston by RBK are underway, with the valuation being determined independently by the District Valuer. The approved capital budget for primary school places expansion included an assumed capital 'purchase' value either freehold or lease; should the final valuation differ significantly from this then a decision will need to be jointly taken by the Director of Finance and Strategic Director of Learning & Children's Services (Interim) regarding the business case to establish the new school.

31. In April 2010 NHS Kingston agreed to progress the redevelopment of Surbiton Hospital site via the LIFTCo for the area, South-West London Partnerships ("SWLHP"). LIFT was set up under the previous Government as a public-private initiative to deliver better healthcare and create an environment for continuous improvement in the PCT estate. The private sector partner has been subject to a European Procurement process. The LIFTCo will support NHS Kingston through the planning and construction phases. The planning application will need to be a masterplan for the whole site, including the new school, and there is a need to secure planning permission before either a single or separate construction contracts are procured. As discussions continue RBK will need to determine if they wish the LIFTCo to build the school under terms acceptable to RBK and therefore benefit from the procurement process that NHS Kingston go through.

32. LIFTCo is considered by NHS Kingston as preferable for this scheme compared to the usual health alternative route of a PFI project as it should be a quicker delivery vehicle that provides greater assurance of completion.
33. RBK and NHS Kingston remain committed to deliver the project subject to processes and decision points around the business case that NHS Kingston must make to the Strategic Health Authority. It is anticipated that pre-application (planning) consultation will take place in July 2010 prior to a planning application being submitted later in the year for both new facilities on the site. This is later than previously stated in the proposal to establish the new primary school when it was hoped that the pre-application (planning) consultation would take place in late May.
34. The outcome of the first stage of the statutory consultation undertaken regarding the proposal to establish the new school is set out in Annex 1. Assuming that the Executive wish to proceed to establish the new school the amended NHS Kingston programme requires RBK to consider carefully the timing of when to start the competition process to establish the provider of the new school. It is proposed that the Director of Learning & Children's Services report to the Executive meeting on 30 June 2010 with a strategy to ensure that the additional school places are available in Surbiton for September 2011, informed by a revised programme to establish the new school.

## **CONCLUSIONS**

35. The Local Authority has a statutory duty to ensure that there are sufficient school places for all children who need one and will continue to prioritise the delivery of appropriate solutions to discharge this duty. It is recognised that there is a need to provide certainty as soon as possible for parents and schools regarding the provision of additional reception year places in primary schools that are needed permanently from 2011.
36. This report sets out the consultation responses to the proposals to increase permanently the number of primary school places in the Kingston Town and Surbiton areas. These proposals form part of the overall Strategy to provide places across the whole Borough. In view of the need to ensure that the Strategy for places across the borough is implemented holistically and reflects the latest pupil place projections it is proposed to defer a decision regarding whether to issue a Public Notice for each of the schools until the 30 June Executive meeting when the outcome of the consultation regarding proposals for Maldens and Coombe and South of the Borough areas are available.

## **EQUALITY IMPACT ASSESSMENT IMPLICATIONS**

37. In undertaking the role of commissioner of school places in the local area the Local Authority has a statutory responsibility to ensure that there are sufficient school places for all children who need one, to ensure fair access to educational opportunities, to ensure that there are sufficient schools in their area and promote diversity and increase parental choice. The Government's stated aim is to secure a more diverse and dynamic schools system which is shaped by parents.

38. There is clearly a responsibility for the Local Authority to ensure that the Strategy for expansion reflects the needs of all children in the Borough, and not just those of parents who are more able to express their views. An underlying requirement is that the Strategy will contribute to raising local standards of provision, and will lead to improved attainment for children. The Local Authority is therefore required to pay particular attention to the effects on groups of children that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps. The proposals will also be required to take the needs of other pupils into account e.g. children with Special Educational Needs and disabilities.

39. The proposals to be developed in Kingston will therefore support the detailed plans within the Children and Young People's Plan and the Strategy for Early Intervention and Prevention 'Closing the Gap'.

## **ENVIRONMENTAL IMPLICATIONS**

40. There are significant environmental implications arising from the building works that will be required to provide additional school places. The extensions to existing schools or new schools will be designed to ensure that there is improved sustainability of school buildings. Wherever possible the agreed priorities within the Primary Capital Programme Strategy adopted by Executive in June 2008 and approved by the Department for Children, Schools and Families in November 2008 will be incorporated into expansion plans. In this way it is hoped that greater efficiencies will be achieved through the rationalisation and remodelling of school buildings and the use of ICT, and that the plans will maximise the use of outside spaces for outdoor learning and play through careful landscaping.

**Background papers:** held by Anne Redparth (author of report), 020 8547 5276;

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1. Primary Capital Programme Strategy
2. Pupil Number Projections Data
3. Consultation on options for the Expansion of Primary Schools

## SCHOOL ADMISSION FORUM

6 JULY 2010

### PRIMARY SCHOOLS ADMISSIONS FOR SEPTEMBER 2010

#### **SUMMARY**

This report informs Members of the latest situation regarding the primary admissions for September 2010 and the number of Kingston children currently without a Reception place for September

#### **ACTION FOR THE FORUM**

The Forum is asked to note this report and offer any views.

#### **BACKGROUND**

1. This year Kingston's primary schools received 1818 applications by the allocation date of 24 March 2010. A total of 270 extra places have been added across 10 schools in response to the increased demand for places. This increased the available places from 1575 to 1845.
2. 1673 offers were made on allocation day and 145 children were not offered a school place. This number includes Kingston and out borough resident applicants. 81% were offered their highest preference and 92% were offered one of their preferences.
3. A total of 1632 Kingston children made an application and 94 were not offered a school place on 24 March. 83% of RBK residents were offered their highest preference and 94% were offered a preference. 6% (94) were not offered a preference.
4. In comparison, last year a total of 1759 Kingston children made an application and 71 were not offered a school place on 25 March. 84% of RBK residents were offered their highest preference and 96% were offered a preference. 4%(71) were not offered a preference at the initial allocation.
5. Following this year's initial allocation, out of 29 infant and primary schools offering Reception places, waiting lists have been maintained for 19 over-subscribed schools, and further offers of places at these schools have been made as parents refused initial offers for a more preferred school.

#### **PRIMARY SCHOOL PLACES FOR SEPTEMBER 2010**

6. In response to the increased demand for places, the Local Authority consulted with schools' governing bodies and 270 additional places have been added at 10 schools. The schools are St Agatha's Catholic Primary, St Joseph's Catholic Primary, St Luke's C of E Primary, Corpus Christi Catholic Primary, Malden Manor Primary and Nursery, Grand Avenue Primary and Nursery, St Matthews C of E Primary, Knollmead Primary, Lovelace Primary and Castle Hill Primary School.

## Appendix B

7. As at 24 June, there are 38 children without a known destination and 130 vacancies at 9 schools. Therefore there are more than enough places for all 38 children.
8. The LA has recently written to parents without a current offer of a school place advising them of schools with vacancies, offering advice on making further applications or asking them to advise the LA if they have made alternative arrangements for September. We will continue to monitor children who are currently without a school place for September.
9. Appeals for community primary, junior and infant schools will be heard in July. Appeals for VA and Foundation schools have either been heard or are awaiting hearings.

**Background papers held by Hatija Bhatia (tel: 020 8547 5284)**

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LA booklet for parents on primary school admissions for Sept 10

## SCHOOL ADMISSION FORUM

6 JULY 2010

### SECONDARY SCHOOLS ADMISSIONS FOR SEPTEMBER 2010

#### **SUMMARY**

This report informs Members of the latest situation regarding the number of school places vacant for this September and the number of Kingston children currently without a place for September 2010.

#### **ACTION FOR THE FORUM**

The Forum is asked to note this report and offer any views.

#### **BACKGROUND**

1. The initial offers for secondary schools for September 2010 were made to parents on 1 March 2010 and they were given two weeks in which to reply to the LA to accept or decline the place offered.
2. Following the initial allocation, waiting lists have been maintained for all over-subscribed schools, and further offers of places at these schools have been made as parents refuse initial offers for a more preferred school.
3. Parental appeals for places at community secondary schools are being heard in early July, and those for places at voluntary-aided (VA) and foundation (F) schools have either been heard or will be heard shortly.

#### **SECONDARY SCHOOL PLACES FOR SEPTEMBER 2010**

4. Seven of the ten secondary schools are currently full for Year 7 admissions and have waiting lists.
5. There is still movement on the waiting lists, and as places are being refused, further offers are continuing to be made for Community, Foundation and Voluntary Aided schools.
6. On 1 March 2010, out of 1565 RBK applicants, 60% of parents received an offer of a place at their first preferred secondary school. 95% of parents have received an offer of one of their preferred schools. For September 2009, the figures were 57% and 95% respectively.
7. On 1 March 2010, 80 Kingston parents did not receive an offer for any of the secondary schools which they named as their preference. 19 out of the 80 were initially offered a place at their nearest Kingston school with a vacancy. Subsequently, as further vacancies became available, any pupils without an initial offer were made offers of places at schools with vacancies.

## Appendix C

8. As at 24 June 2010, there are 4 children (3 girls and 1 boy) Kingston children without a known destination of a school in September 2010 and all of these children have been offered alternative places at schools with vacancies.
9. In comparison, on 23 June 2009 there were 10 children without a known destination for September 2009.

**Background papers held by Hatija Bhatia (tel: 020 8547 5284)**

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LA booklet for parents on secondary school admissions for Sept 2010

## SCHOOL ADMISSION FORUM

6 JULY 2010

### FAIR ACCESS PROTOCOL

#### **SUMMARY**

This report informs Members of the working draft Fair Access protocol which has been recently revised and is currently being implemented by secondary schools.

#### **ACTION FOR THE FORUM**

The Forum is asked to approve the current draft protocol.

#### **BACKGROUND**

1. Since September 2007 the Government has expected all local authorities to have a Fair Access Protocol in place and which has the full support and participation of all secondary schools in the local authority's area. The School Admissions Code 2009 strengthened the role of LAs and schools to ensure their commitment to fair access to school for every child.
2. The Code states that no school is expected to take more than its fair share of hard to place pupils and that undersubscribed schools are not be expected to admit a greater proportion of children with challenging behaviour than other schools.
3. To ensure that the needs of the child and the needs of the school are taken into account, the Department of Education (D of E) expects every local Admissions Forum to agree a protocol with schools, for sharing hard to place children more fairly between schools.

#### **IMPLEMENTATION OF THE REVISED DRAFT PROTOCOL**

4. Following the revised School Admissions Code 2009, a revised draft Fair Access protocol was agreed with secondary schools and this has been implemented from April 2009 to date with some revisions made in March 2010 to improve its focus and application. This latest version is attached at Annex 1 and describes the definition, principles and application of the protocol.
5. The Panel meets twice a term with the stated understanding that an extra-ordinary meeting can be called if required to avoid delays in placing children.
6. Since April 2009 until the end of the Summer term 2009, 3 placements were made at three schools under the protocol.
7. During this academic year 2009/10, 4 placements have been made in 3 schools. A further review of the protocol has been planned for Autumn 2010, once the new in year admissions procedures are in place.

## Appendix D

**Background papers held by Hatija Bhatia (tel: 020 8547 5284)**  
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The School Admissions Code 2009 and 2010

# FAIR ACCESS PROTOCOL

March 2010 Version 2

## 1 Introduction

- a) Each Local Authority must have a Fair Access Protocol in place and every school must participate in it. The School Admissions Forum has the responsibility to ensure that a protocol is agreed with schools for sharing hard to place pupils fairly between schools.
- b) This Protocol sets out the procedure to follow to ensure that unplaced pupils who live in the Home LA ,who are 'hard to place' pupils ( see paragraph 3 below) and are vulnerable are admitted quickly to a mainstream school.
- c) The School Admissions Code states:

“Fair Access Protocols exist to ensure that access to education is secured quickly for children who have no school place but for whom a place at a mainstream school or alternative provision is appropriate, **and** to ensure that all schools in an area admit their fair share of children with challenging behaviour, including children excluded from other schools. Along with devolved funding and responsibility for alternative provision, an agreed protocol encourages local authorities and schools to work together in partnership to improve behaviour, tackle persistent absence and help support improving behaviour partnerships.”
- d) This protocol sets out the definition of a hard to place child, and describes how they will be considered.
- e) This protocol applies to all 10 secondary schools in Kingston and each of these schools is required and has agreed to operate within the terms of this protocol. The LA and schools work together in partnership to improve behaviour, tackle persistent absence and help support improving behaviour partnerships. This protocol also covers the role of the Pupil Referral Units.
- f) Undersubscribed schools must not be expected to admit a greater proportion of children with challenging behaviour than other schools.
- g) This protocol applies to secondary aged pupils who are identified as 'hard to place' from the beginning of Year 7 up to the end of Year 11.

## 2 Principles of the Protocol

Fair Access Protocols exist to ensure that:

- a) access to education is secured quickly for children who have no school place but for whom a place at a mainstream school is appropriate;
- b) all schools in an area admit their fair share of children with challenging behaviour, including children excluded from other schools;
- c) balance is struck between finding a place quickly and finding a school place that is appropriate for the child;
- d) no school, including those with places available, is asked to take a disproportionate number of children who have been excluded from other schools or who have challenging behaviour or who are known to have a history of behavioural difficulties.

**3 Definition of a Hard to Place Pupil**

Where there is a reference to a child who has been out of education, education will be counted as any period whilst on roll at a school or any period of elective Home Education. In addition, the family will have to demonstrate that they were actively seeking a place at a range of schools including those with possible vacancies, throughout that time and that they were living in the UK throughout that time.

The School Admissions Code clearly defines which children are to be included within the protocol. The list of children to be included is set out below:

- a) Children attending PRUs or Individual Tuition who are ready to be reintegrated back into mainstream education but into a different school from the one originally attended;
- b) Children who were permanently excluded from their last school placement and who are ready for reintegration to an alternative school
- c) Children who have been out of education for longer than one school term(see above);
- d) Children whose parents have been unable to find them a place after moving to the area, within 6 school weeks of making an application;
- e) Children withdrawn from schools following fixed term exclusion, who have been out of education for longer than one school term;
- f) Children of refugees and asylum seekers who have been in the UK less than 2 years and need a supported entry to school. The need for a supported entry does not include language support, where this is the only support required, and must be substantiated by professional evidence
- g) Homeless children who have been placed in temporary housing by the Royal Borough of Kingston whose families are unable to find them an appropriate place in a school within 6 school weeks of making an application;
- h) Children with unsupportive family backgrounds, where a place has not been sought and where the child is not in education, and where a referral is made through an outside agency or service who is seeking to support the child;
- i) Children known to the police or other agencies where there has been active involvement in the past 6 months and whose families are unable to find them an appropriate school place within 6 weeks of making an application;
- j) Children without a school place and with a history of serious attendance problems as determined by the Education Welfare Service, who have been out of education for longer than one school term;
- k) Traveller children whose families are unable to find them an appropriate place in school within 6 weeks of making an application;
- l) Children who are carers and whose families are unable to find them an appropriate place within 6 weeks of making an application;

- m) Children with special educational needs (but without a statement) who have been out of education for longer than one school term;
- n) Children with disabilities or medical conditions which has already impacted on their attendance or participation at school and whose family is unable to find them an appropriate school place within 6 weeks of making an application;
- o) Children returning from the criminal justice system who are registered with the Youth Offending Service;
- p) Children of UK Service personnel and other Crown Servant whose family is unable to find them an appropriate school place within 6 weeks of making an application;
- q) Children in the Women's Refuge where immediate admission to a school has not been possible;
- r) Whilst children in the above categories may find it difficult to secure a place, the majority of children will be dealt with through normal admissions procedures;
- s) The parent of every pupil without a school place will be asked to complete an application form for an "In year" school place;
- t) If a parent makes an application for a place to a school or the Local Authority, and it appears that the criterion for fair access is met, then the following procedure described under paragraph 4 will apply:

#### **4 Considering Applications**

- a) Where a school receives an application directly which may require consideration under FAP, the school must forward the form to School Admissions with any supporting evidence.
- b) The Head of Admissions will provisionally deem cases to be Hard to Place and add them to the next Fair Access Panel agenda. This can only be done before a child is admitted to school. School Admissions will seek additional background evidence in each case to support the Panel's decision making process.
- c) The Fair Access Panel consists of the Head Teacher of each mainstream secondary school, Head Teacher of the PRUs, Head of Admissions, Strategic Inspector for Inclusion or SEN, the Exclusions & Reintegration Officer. Additional LA colleagues will be invited to attend where they have direct knowledge of the young person/family.
- d) The Fair Access Panel will meet on a half termly basis following headteachers' meetings from September to July. An extraordinary meeting may be arranged should it be required.
- e) The Panel will make the decision as to which school will be nominated to receive each case. This will take into account parental preference and the suitability of the placement for the pupil and the school;

## Annex 1

- f) A school cannot cite oversubscription as a reason for not admitting a hard to place pupil where that school is the nominated school to take a hard to place pupil.
- g) Schools must work together and support each other in ensuring a fair distribution of hard to place pupils across all schools. All schools must have effective integration processes in place.
- h) All schools will be expected to admit pupils who have been duly assigned to their school under the process described above. If a school is identified as the one to admit a pupil and refuses to do so the matter will be referred to the Strategic Director of Learning & Children's Services who will direct the school to admit the pupil. Any further objection will be referred to the Schools Adjudicator or to the Secretary of State, as appropriate
- i) Once a child has been allocated by the Panel, the child should be admitted within 2 weeks, with the exception of children being reintegrated from the PRU. The school **must** notify School Admissions of the admission date in each case.
- j) If the child is not allocated their highest preference school, they will have a right of appeal for each school which was not offered but named above the allocated school.
- k) Parents have the right to turn down the offer of a place in which case the pupil will be referred by the FAP to the Education Welfare Service (EWS).
- l) Where a school admits a pupil and subsequent information comes to light suggesting the pupil fulfils the 'hard to place' criteria, this information should be forwarded to School Admissions for consideration at the next FAP.
- m) If an application is made by an Out-Borough resident who is deemed hard to place the matter will be discussed initially between Kingston LA and the pupil's Home LA to see if the Home LA can manage and support the admission locally.

### 5. **Achieving an Equitable Distribution of Pupils Under the Fair Access Protocol (FAP)**

- a) Each school will be given an initial limit of admitting 2 pupils in each year group every academic year under the FAP. This may result in the school going over the published admission number and/or accepting a pupil who has previously been refused a place on appeal.
- b) Children to be placed through the Fair Access Protocol take precedence over children on any waiting list the school may hold.
- c) Where a school accepts a pupil under Fair Access who is subsequently permanently excluded within the same academic year then the school's limit of admitting 2 pupils will be reset accordingly.

### 6. **Financial Arrangements**

- a) A permanently excluded pupil who is admitted to a new school through the Fair Access Protocol will have, from the date on roll, the remaining portion of the Age Weighted Pupil Unit (AWPU) formula transferred to the new school.

## **Annex 1**

- b) Where a Kingston school excludes a pupil permanently a further amount will be withdrawn to support the pupil's future educational placement. This amount will be calculated at £50 per week for the number of academic weeks remaining in the school year i.e. if a pupil is excluded at the start of the Summer Term  $£50 \times 39 \text{ weeks} = £1,950$  would be withdrawn. This sum will follow the pupil to an alternative mainstream Kingston school or to the PRU at the rate of £50 per week for the number of academic weeks remaining in the school year i.e. if a pupil is excluded at the beginning of the autumn term £1,300 is withdrawn ( $£50 \times 26 \text{ weeks}$ ). The pupil spends 5 weeks at the PRU which receives £250. They are then admitted to a new school which receives £1,050 (21 weeks  $\times$  £50).

### **7. Review of the Protocol**

This protocol will be reviewed in the Autumn term 2010 once the in year admissions process is underway.

DRAFT