

# CHILDREN'S SERVICES OVERVIEW AND SCRUTINY PANEL

TUESDAY, 17TH OCTOBER, 2017

At 6.30 pm

in the

COUNCIL CHAMBER - TOWN HALL, MAIDENHEAD,

## SUPPLEMENTARY AGENDA

### PART I

<u>ITEM</u>	<u>SUBJECT</u>	<u>PAGE NO</u>
5.	<u>WINDSOR MIDDLE SCHOOL EXPANSION</u> To comment on the Cabinet report.	3 - 12

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# Agenda Item 5

Report Title:	<b>Windsor Middle School Expansion</b>
Contains Confidential or Exempt Information?	No - Part I
Member reporting:	Councillor Airey, Lead Member for Children's Services
Meeting and Date:	26 October 2017
Responsible Officer(s):	Kevin McDaniel, Director of Children's Services
Wards affected:	All

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## REPORT SUMMARY

1. The Royal Borough's ambitions for education are that: parents have a choice over schools for their children; all children have the opportunity to access high quality education, assessed as good/outstanding by Ofsted; and that all children make progress in their education attainment above national levels.
2. There is pressure for places in the Windsor middle schools from September 2019, and so consultation on a proposal to expand St Peter's CE Middle School by September 2019 is recommended.

## 1. DETAILS OF RECOMMENDATIONS

**RECOMMENDATION:** That Cabinet notes the report and:

- i) **Approves public consultation on a proposal to expand St Peter's CE Middle School by 30 places per year group (from 60 to 90), starting with Year 5 in September 2019.**
- ii) **Approves a budget of £20k to carry out feasibility work on the proposed expansion.**
- iii) **Requests a report to Cabinet in March 2018 on the outcome of the consultation and the feasibility works.**

## 2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

### Background

- 2.1 The Royal Borough of Windsor and Maidenhead, as the local authority, has a legal duty to ensure that there are sufficient school places to meet demand<sup>1</sup>.
- 2.2 The Royal Borough has a phased secondary school expansion programme, providing new secondary, middle and upper school places to meet rising demand in the borough. The programme was last considered by Cabinet in July 2016, when budgets were approved for Phase 1 (September 2017) and Phase 2 (September 2018).
- 2.3 The Royal Borough is also currently expanding a primary school in Ascot, to provide new school places across all year groups for families moving into the area. This was approved by Cabinet in August 2016 and will be completed by the end of October 2017.
- 2.4 These schemes, and the latest progress, are summarised in Appendix A.
- 2.5 The July 2016 Cabinet report on secondary school provision noted that further growth in demand was expected.
- 2.6 Projections of future demand are done annually and reported to the Department for Education (DfE) each July in the School Capacity (SCAP) survey. The projections take into account the latest demographic data, changing parental preference and the latest available new housing trajectory.
- 2.7 The projections and SCAP commentary, as submitted to the DfE, are available on the borough's website at:  
  
[https://www3.rbwm.gov.uk/info/200168/schools\\_and\\_schooling/1117/school\\_organisation\\_places\\_and\\_planning/5](https://www3.rbwm.gov.uk/info/200168/schools_and_schooling/1117/school_organisation_places_and_planning/5)
- 2.8 New school places are now required in the Windsor middle schools from September 2019, as set out in *Table 1: 2017-based projections and commentary for Windsor Middle Schools*.

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<sup>1</sup> Section 14, Education Act 1996.

**Table 1: 2017-based projections and commentary for Windsor middle schools.**

- White cells indicate a surplus of 10% or more.
- Grey cells indicate a surplus of between 0 and 9.9%.
- Black cells indicate a deficit of places.

<i>a</i>		<i>b</i>				<i>c</i>				<i>d</i>				<i>e</i>				<i>f</i>				<i>g</i>				<i>h</i>				<i>i</i>				<i>j</i>				<i>k</i>															
		<b>Actuals</b>								<b>Projected</b>																																											
		<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>																						
<b>Windsor Middle</b>																																																					
<b>Number on roll in Year 5</b>		<b>401</b>	<b>431</b>	<b>453</b>	<b>468</b>	<b>505</b>	<b>521</b>	<b>500</b>	<b>528</b>	<b>513</b>	<b>514</b>	<b>401</b>	<b>431</b>	<b>453</b>	<b>468</b>	<b>505</b>	<b>521</b>	<b>500</b>	<b>528</b>	<b>513</b>	<b>514</b>	<b>401</b>	<b>431</b>	<b>453</b>	<b>468</b>	<b>505</b>	<b>521</b>	<b>500</b>	<b>528</b>	<b>513</b>	<b>514</b>																						
<b>Surplus/deficit</b>		<b>+49</b>	<b>+19</b>	<b>-3</b>	<b>+12</b>	<b>+5</b>	<b>-11</b>	<b>+10</b>	<b>-18</b>	<b>-3</b>	<b>-4</b>	<b>+49</b>	<b>+19</b>	<b>-3</b>	<b>+12</b>	<b>+5</b>	<b>-11</b>	<b>+10</b>	<b>-18</b>	<b>-3</b>	<b>-4</b>	<b>+49</b>	<b>+19</b>	<b>-3</b>	<b>+12</b>	<b>+5</b>	<b>-11</b>	<b>+10</b>	<b>-18</b>	<b>-3</b>	<b>-4</b>																						
on published admissions numbers, including all temporary increases and agreed expansion schemes.		<table border="1"> <caption>Percentage Surplus/Deficit</caption> <thead> <tr> <th>Year</th> <th>Percentage</th> </tr> </thead> <tbody> <tr><td>2014</td><td>10.9%</td></tr> <tr><td>2015</td><td>4.2%</td></tr> <tr><td>2016</td><td>-0.7%</td></tr> <tr><td>2017</td><td>2.5%</td></tr> <tr><td>2018</td><td>0.9%</td></tr> <tr><td>2019</td><td>-2.1%</td></tr> <tr><td>2020</td><td>1.9%</td></tr> <tr><td>2021</td><td>-3.5%</td></tr> <tr><td>2022</td><td>-0.7%</td></tr> <tr><td>2023</td><td>-0.8%</td></tr> </tbody> </table>																														Year	Percentage	2014	10.9%	2015	4.2%	2016	-0.7%	2017	2.5%	2018	0.9%	2019	-2.1%	2020	1.9%	2021	-3.5%	2022	-0.7%	2023	-0.8%
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<b>New places required to September 2021:</b>		<p>The projections suggest a shortage of places in September 2019, and again in September 2021. More children will join these cohorts as they move up through the schools. Extra places are required, therefore, to ensure that all children can be offered a place. 30 new places per year group would provide a surplus, in September 2019, of 2%. 60 places would provide a surplus of 7%. As the very highest level of demand is not likely to be sustained in subsequent years in the projection period, however, it is currently proposed that only 30 places are added.</p>																																																			

## Options for providing these places

2.9 To provide the places set out in Table 1, the Royal Borough proposes:

- **Windsor Middles:** carrying out public consultation on a proposal expand St Peter's CE Middle School by 30 places per year group, starting with Year 5 in September 2019. This will increase the published admission number from 60 to 90.

2.10 *Table 2: Proposed expansion at St Peter's CE Middle School* gives a brief summary of the proposed expansion scheme at the school. Of the four middle schools in the town, one (Dedworth Middle) is currently already being expanded. St Edward's Royal Free Ecumenical Middle School was expanded in September 2013 and has little capacity for further expansion. Trevelyan Middle School could expand, but is currently focused on stabilising their intake at 150, after much lower numbers in previous years.

**Table 2: Proposed expansion at St Peter's CE Middle School**

<i>a</i>	<i>b</i>
<b>School</b>	St Peter's CE Middle School
<b>Proposed Increase</b>	30 per year group (PAN to increase from 240 to 360)
<b>Date of increase</b>	September 2019, starting with the Year 5 intake
<b>Scheme description</b>	To demolish a modular building containing four classrooms and replace it with a two-storey block of six classrooms. The school's kitchen also needs to be enlarged.
<b>Deliverability</b>	Disruption during the build period should be manageable, although there is a tight timetable for completion.
<b>Planning</b>	The school is located in the Green Belt, and so the borough will need to demonstrate Special Circumstances to justify building in the Green Belt. The school is not located in a Conservation Area or a Flood Zone.
<b>Traffic</b>	The school will need additional parking, and an improved drop-off area. As with many schools, the local roads can get congested at the start and end of the school day.
<b>Location</b>	St Peter's CE Middle School is located in the village of Old Windsor, and most of the additional demand for new middle school places will come from Windsor itself. Under the home to school transport rules, the borough is responsible for providing free home to school transport for children of middle school age who live more than 3 miles from the nearest appropriate school with places. Broadly, the only part of Windsor less than three miles from St Peter's is the area east of Imperial Road and south of Clarence Road (about a quarter of the town). Expansion here could, therefore, lead to some increases in the cost of home to school transport.
<b>View of the school</b>	The Governing Body of St Peter's CE Middle School support public consultation on the proposed expansion.
<b>School size</b>	With just 60 children per year group, St Peter's is currently the smallest middle school in Windsor (the next biggest, St Edward's RFE Middle, has 120 children per year group). Expanding to 90 per year group should assist the school with future financial viability, and enable them to offer a wider curriculum.
<b>Ofsted</b>	Good (12 <sup>th</sup> October 2017).
<b>Cost</b>	Initial estimates suggest the scheme should be comparable to projects of a similar size, but Highways costs could add in significant costs. More detailed feasibility work (£20k) should provide a more accurate figure, although the final price will not be known until the scheme is tendered. The borough's Basic Need grant from the government, intended to provide funding for new school places, is already fully assigned to existing school expansion schemes.

- 2.11 In September 2015 Cabinet approved a set of criteria allowing for the prioritisation of expansion at schools on the basis of:
- Ofsted grading.
  - KS2/KS4 Progress and Attainment measures.
  - Oversubscription on 1<sup>st</sup> preferences.
  - Capacity on site for expansion.
  - Value for money compared to national benchmark figures.
- 2.12 As the fully validated 2017 attainment data, and latest value for money information is not yet available, Cabinet will be asked to consider the complete version when it meets in March 2018 after the end of the proposed consultation period. In line with priorities identified in the borough's SEND Action Plan, this will include a criterion scoring inclusion for children with additional needs by school. The details of how this will work will be examined over the coming months.

#### Next steps

- 2.13 The next steps, therefore, are:

**Table 3: Next steps for the medium-term need.**

<i>a</i>	<i>b</i>
Public consultation on proposal for St Peter's	<b>Nov/Dec 2017</b>
Feasibility works on St Peter's scheme	<b>Winter 2017/18</b>
Cabinet consideration of consultation outcome	<b>Mar 2018</b>

### Options

**Table 4: Options arising from this report.**

Option	Comments
Approves a budget of £20k for the next stage of feasibility work on the proposed expansion of St Peters. <b>Recommended.</b>	This will allow the borough to provide a detailed and costed expansion scheme for St Peter's CE Middle School, to be considered by Cabinet in March 2018.
Requests a report giving the outcome of the consultation, and the outcome of the feasibility works in March 2018. <b>Recommended.</b>	This will allow Cabinet to consider representations made, and the likely cost of the expansion, before making a decision.

## 3. KEY IMPLICATIONS

**Table 5: Key Implications**

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Consultation on the expansion of St Peter's has an acceptable response rate.	The response rate is less than 3%.	The response rate is 3% to 5%.	The response rate is 5% to 10%.	The response rate is greater than 10%.	31 <sup>st</sup> December 2017.

#### **4. FINANCIAL DETAILS / VALUE FOR MONEY**

##### Funding for the feasibility works

- 4.1 The £20k for the feasibility works will be funded, via the borough's capital programme, from council funds as the current Basic Need grant is fully allocated to the secondary expansion programme.

##### Funding for the expansion of St Peter's CE Middle School

- 4.2 Further detail about the funding for the proposed expansion of St Peter's CE Middle School will be reported to Cabinet in March 2018, when the detailed feasibility work will give a clearer cost estimate.

#### **5. LEGAL IMPLICATIONS**

##### Provision of school places

- 5.1 Local authorities are under a statutory duty to ensure that there are sufficient school places in their area. This is set out in the Education Act 1996, Section 14, subsections 1 and 2. The borough receives the 'Basic Need' grant from the government for this purpose, which can be spent on new school places at all types of school (Academy (including free schools), Community, Voluntary Aided and Voluntary Controlled).
- 5.2 There is no legal duty to provide any particular level of surplus places.

##### Expansion of St Peter's CE Middle School

- 5.3 A consultation is required if a significant expansion is proposed for academy, in this case St Peter's CE Middle School. Government guidance<sup>2</sup> defines a significant expansion as an increase by at least 30 pupils.
- 5.4 The government expects that only academies that are 'Good' or 'Outstanding' will usually be expanded, unless the academy is in an area of critical basic need; all other options have been considered and a robust school improvement plan is in place. 'Good' or 'Outstanding' academies can follow the 'fast track' route to expansion unless the proposal increases the size of the school by 50%+ or up to 2,000+ pupils. In all other cases, the academy must submit a full Business Case. In the case of St Peter's, it is expected that this will be a fast track/full business case application.
- 5.5 In both cases, a "fair and open local consultation"<sup>3</sup> is required (see section 8).
- 5.6 The Secretary of State, via the Regional Schools Commissioners, will consider whether or not to approve the expansion. There is an expectation that all fast track applications will be approved provided that:
- The necessary consultation has taken place.
  - Capital funding has been secured.
  - The expansion is in line with local pupil place planning.
  - Planning permission has been obtained<sup>4</sup>.

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<sup>2</sup> Page 6, [Making significant changes to an open academy](#), DfE, March 2016.

<sup>3</sup> Page 15, [Making significant changes to an open academy](#), DfE, March 2016.

<sup>4</sup> Page 17, [Making significant changes to an open academy](#), DfE, March 2016.



- 5.7 The borough will need, therefore, to approve the capital funding for the scheme in order for it to receive approval.

## 6. RISK MANAGEMENT

**Table 6: Risk Management**

Risks	Uncontrolled Risk	Controls	Controlled Risk
Insufficient places in Windsor middle schools to meet demand.	HIGH	Expand St Peter's CE Middle School	LOW
Low response rate on consultation (<3%).	HIGH	Work in partnership with Windsor schools to publicise consultation, and use easy, online, survey.	MEDIUM

## 7. POTENTIAL IMPACTS

- 7.1 There are currently no implications arising from the recommendations in this report with regards to staffing/workforce, sustainability, Equalities, Human Rights and community cohesion, accommodation, property or assets.

## 8. CONSULTATION

### Expansion of St Peter's CE Middle School

- 8.1 The proposed expansion of St Peter's CE Middle School requires public consultation, which will be carried out by the Royal Borough in its role as commissioner of school places.
- 8.2 Consultation will be carried out in November and December 2017, with responses primarily sought online. As children from all over Windsor may go to St Peter's, the consultation will be extended to parents, staff and governors at all first and middle schools in the town. Residents in the vicinity of St Peter's will also be consulted.

### This report

- 8.3 The report will be considered by Corporate Services Overview and Scrutiny Panel on 17 October 2017, comments will be reported to Cabinet.

## 9. TIMETABLE FOR IMPLEMENTATION

**Table 7: Timetable for implementation**

Date	Details
Nov/Dec 2017	Public consultation on proposal for St Peter's
Winter 2017/18	Feasibility works on St Peter's scheme
Mar 2018	Cabinet consideration of consultation outcome

- 9.1 Implementation date if not called in: 'Immediately';

## 10. APPENDICES

Appendix A: Approved school expansion programme

## 11. BACKGROUND DOCUMENTS

- [School Capacity Survey 2017 Local Authority Commentary](#).
- [Making significant changes to an open academy](#), DfE, March 2016.

## 12. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Commented & returned
Cllr Natasha Airey	Lead Member/ Principal Member/Deputy Lead Member	27/09/2017	28/09/2017
Alison Alexander	Managing Director	29/09/2017	
Russell O'Keefe	Strategic Director	02/10/2017	
Andy Jeffs	Strategic Director	02/10/2017	
	Section 151 Officer		
	Head of HR		
None	Other e.g. external		

### REPORT HISTORY

<b>Decision type:</b> Key decision 07/12/2016	<b>Urgency item?</b> No
Report Author: Ben Wright, Education Planning Officer, 01628 796572	

## Appendix A: Approved school expansion programme

Table A1: Approved school expansion programme sets out the current approved expansion programme.

**Table A1: Approved school expansion programme**

<i>a</i>	<i>b</i>	<i>c</i>	<i>d</i>	<i>e</i>		<i>f</i>
Area	School	Current PAN	Proposed PAN post expansion	Increase on current PAN		First year of increase (Sept.)
				No.	FE*	
<b>Secondary Phase 1</b>						
Ascot	Charters School	240	270	+30	+1.0	2017
Maidenhead	Cox Green School	176	206	+30	+1.0	2017
	Furze Platt Senior School	193	223	+30	+1.0	2017
Windsor	Dedworth Middle School	120	150	+30	+1.0	2017
	The Windsor Boys' School	230	260	+30	+1.0	2017
	Windsor Girls' School	178	208	+30	+1.0	2017
<b>Ascot Primary</b>						
Ascot	Cheapside CE Primary	16	30	+14	+0.5	2017
<b>Secondary Phase 2</b>						
Maidenhead	Furze Platt Senior School	193	253	+60	+2.0	2018
Windsor	Dedworth Middle School	120	180	+60	+1.0	2018

\*FE means Form of Entry. 1 FE = one class of 30 children per year group.

A further 6 places per year group have also been added at Newlands' Girls School. This scheme, funded largely by S106 contributions, is not part of the formal secondary expansion programme but nevertheless increases the number of places available.

These schemes are proceeding as follows:

- Cheapside completion due by end of October 2017.
- The Windsor Boys' School completed.
- Windsor Girls School completion due by end of October 2017.
- Cox Green School on site, completion due Summer 2018.
- Charters School planning application referred to Secretary of State.
- Dedworth Middle School planning application referred to Secretary of State.
- Furze Platt Senior School planning application submitted.
- Newlands Girls' School on site.

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