

**SURREY COUNTY COUNCIL****CABINET MEMBER FOR CHILDREN AND LEARNING****DATE: 21 NOVEMBER 2012****REPORT OF: NICK WILSON, STRATEGIC DIRECTOR OF CHILDREN, SCHOOLS AND FAMILIES****SUBJECT: SURREY COUNTY COUNCILS CHOICE OF PREFERRED PROPOSER FOR A NEW PRIMARY SCHOOL IN REDHILL****KEY ISSUE/DECISION:**

To decide on the Councils preferred Free School proposal for a new 2 form entry primary school in Reigate and Banstead Borough and submit this to the Department for Education (DfE) for determination by the Secretary of State for Education. The Council can state a preferred bidder in these instances and this may be considered by the Secretary of State who is the ultimate decision maker concerning which organisation takes the new school forward.

**DETAILS:**

1. Numbers of children starting school in Reigate and Banstead has significantly increased for a number of years. For reception in 2012 5.5 additional forms of entry were provided within the town, in addition to 2 further forms in directly adjacent areas.
2. This increase is a direct result of changes to demographics within the Borough. Between 2002 and 2011 births in Reigate and Banstead Borough have increased by in excess of 29%. In addition significant house building in the area has further increased the number of school age children requiring a school place.
3. As a result of this increase Surrey County Council is proposing that a new two form entry (2FE) primary school will be provided in Reigate/Redhill from 1 September 2013. Other expansions are also being pursued at a number of maintained schools across Reigate and Banstead Borough, this school will be in addition to these increases.
4. Under Section 6A of the Education and Inspections Act 2006 where a Council is proposing the provision of a New School it is required to seek proposals for the establishment of an academy. The Council is not able to submit proposals to operate a new school in these instances. The determination of the proposals will be made by the Secretary of State (SOS) for Education; however the Council has an opportunity to state its preferred bidder for the SOS's consideration.
5. Five bids have been received in the relevant timescale for consideration to establish the new school.

**Background**

6. Numbers of children starting school in Reigate and Redhill have been increasing for some years. This has been caused by an increase in births, families moving into the borough, and families moving into new housing. Numbers of children needing a school place are projected to continue to increase for the next forecast period.
7. Historic births for the area are shown below. SCC obtains birth data from the Office for National Statistics (ONS). These are converted from calendar year birth to school year births. Births are then projected from 2010 on the basis of recent trends.

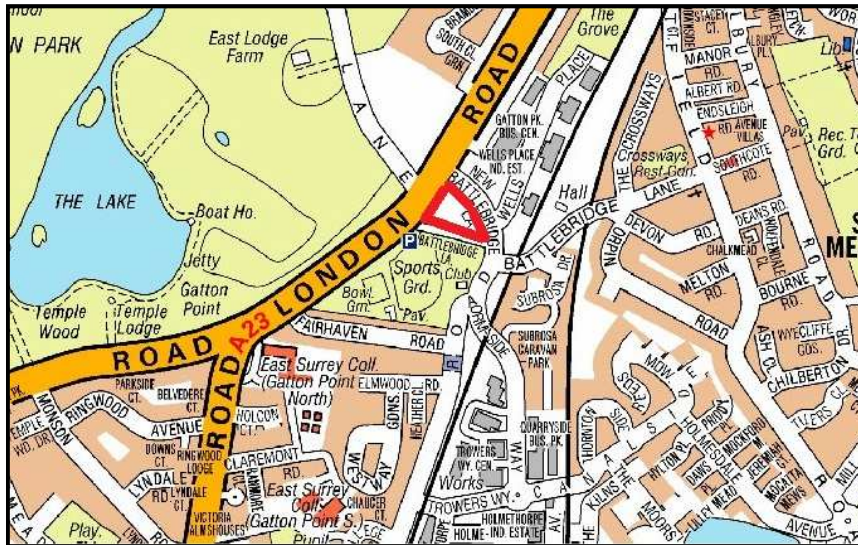
Year	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Borough Births	1454	1445	1530	1539	1502	1638	1740	1763	1773	1851	1890
Reigate/Redhill Births	422	422	445	440	442	469	495	505	504	507	513

Source ONS

8. Births in Reigate and Redhill have been increasing since the Millennium. Future births are also forecast to increase marginally. When new housing becomes occupied it is possible that the birth rate may continue to increase. Specifically Reigate and Redhill births are now about 22% higher than the low point around the Millennium.
9. New housing has a significant impact on numbers of children needing a school place in the Reigate and Redhill area. There has been significant new housing in the area close to the proposed new school site, specifically the Water Colour Estate and Park 25.
10. These factors feed into our forecasts of future demand on school places. The Council is predicting the need for at least 2 forms of additional entry in this area through to 2021. In addition reception numbers have significantly outstripped forecast demand in the last two years and it is likely that future forecasts will indicate greater deficits of provision. Our analysis of this indicates that an expansion of primary provision is needed immediately further expansion of primary provision is needed in following years.

### **New School Details**

11. The school will offer 60 reception places in September 2013 and would initially operate from an existing school site in Alexander Road, Reigate, before being transferred to purpose built accommodation on Battlebridge Lane, Merstham. Although transfer to the new site could take a number of years, it would be intended to give priority to children living close to the Battlebridge Lane site. It would therefore be anticipated that transport arrangements would exist for an interim period for people needing to travel from this site to the temporary site in Alexander Road.
12. The location of the new school will be close to the need arising from the existing population and that from new housing developments. Battlebridge Lane is situated to the North East of Redhill and South of Merstham and is well located to serve the needs of the projected pupil demand.



13. The growth of the school is proposed to be managed in the following way;
- the Published Admission Numbers (PANs) and places from September 2013 would be 60
  - children will be admitted in Reception each year and the children will progress through the school
  - the school will increase its age range by one year each year and so the school will grow by one year group each year until it is an all through primary school
  - there will be 420 places for boys and girls in September 2019
  - the school will offer nursery provision

Proposed Provision	Year	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6
New School Redhill	2013	60	60	-	-	-	-	-	-
	2014	60	60	60	-	-	-	-	-
	2015	60	60	60	60	-	-	-	-
	2016	60	60	60	60	60	-	-	-
	2017	60	60	60	60	60	60	-	-
	2018	60	60	60	60	60	60	60	-
	2019	60	60	60	60	60	60	60	60

14. Surrey County Council has allocated capital for the provision of the new primary school in Reigate and Redhill as part of the schools basic need programme. Developers of housing have also been required to pay S106 contributions towards education infrastructure in Reigate and Redhill. Primary education S106 contributions will go towards offsetting some of the cost of building the primary school.

15. Surrey County Council will build the school and ownership of the school will be transferred to the preferred provider.

16. The new primary school is to be an inclusive school. The school will provide for the normal range of Special Educational Needs (SEN) as is found in a typical Surrey County Council primary school. There is not expected to be any specific SEN provision or unit at the new school.
17. The school will be expected to contribute towards community cohesion. The new school will be expected to provide the normal range of before school and after school clubs as are provided in a typical Surrey County Council primary school.

### **Process**

18. The provisions of the Education Act 2011 regarding the requirement for local authorities to establish new schools as academies came into force on 1 February 2012. A new section, S6A, was inserted into the Education & Inspections Act 2006 that if a local authority in England think a new school needs to be established in their area, they must seek proposals for the establishment of an Academy.
19. An academy is an independent school that is funded directly by the DfE. A free school is a type of academy. The DfE and the academy proposer enter into a Funding Agreement and that dictates how the academy will operate.
20. Proposals to establish the two form entry were invited from potential bidders up until 31 October 2012. The invitation to bid was displayed on the Surrey County Council public website. In addition relevant information was sent to the DfE, who contacted the New Schools Network and the Academies Association, who in turn forwarded it to potential sponsors. The DfE also published the invitation on their public website.

### **Assessment of Bids**

21. After the end of the invitation to bid period Surrey County Council (SCC) must assess the academy/free school proposals it has received against three criteria:
  - the quality of the places being added into the system, based on the proposer's vision and educational plan;
  - the capability and capacity of the proposer to deliver their proposal to time and on budget, based on their expertise and experience;
  - value for money, confirming that the proposer considers that the costs of establishing the new academy/Free School can be met within the estimate of capital costs outlined by the local authority and, where they cannot be met within that estimate, an explanation of the reasons for the additional costs and how any shortfall will be met.
22. SCC is going to build the new school and transfer it to the successful proposer. Therefore the second two criteria are less relevant in this case.
23. SCC must then forward to the DfE all proposals that it has received. SCC may state its preference on which of the proposers should open the new school, which the Secretary of State will take into consideration when deciding whether or not to enter into a Funding Agreement – through the DfE – with any of the proposers. If the Secretary of State does, then they will be the successful Proposer of the new primary school. If the Secretary of State decides not to do

so, then SCC would be granted permission to hold a competition to decide who will propose the new school.

24. There were five expressions of interest indicating an intention to submit a proposal, and five proposals were submitted. These are all suitable proposals.

Proposals were submitted from: The Aspiration Academies Trust, The Active Learning Trust, Barnfield Education Partnership Trust, The First Educational Alliance and The Glyn Learning Foundation.

25. The Aspiration Academies Trust is an established academy provider. Its philosophy is based on the framework provided by the Quaglia Institute for Student Aspiration. The group has school improvement experience both in the UK and the USA. The trust aims to achieve outstanding outcomes due to high quality teaching and learning supported by rigorous systems of accountability and target setting. The Trust has a particular commitment to supporting staff continued professional development.
26. The Active Learning Trust is an approved Academy Sponsor and is currently the chosen sponsor for 3 schools, 1 primary, 1 junior and 1 secondary school in London and Cambridgeshire. The Trust aims to achieve commitment to the school through early engagement with the local community. Outcomes for children will be achieved by a philosophy that celebrates a love for learning and consistent use of performance management. The trust has a particular commitment to the innovative use of IT to support pedagogy.
27. The Barnfield Education Partnership Trust operates five primary schools and is further involved with school improvement. The trust will ensure the sustainability of the new school by making use of the infrastructure provided by this wider group. The group operate a child led focus to education and support students taking an active stake in school development. The group place an emphasis on partnership working specifically the development of the relationship between schools and parents and carers. The school would place a specific emphasis on numeracy and literacy within the curriculum.
28. The First Educational Alliance is an education and projects consultancy with links to a range of education providers specifically the Thinking Schools Academy that operates the Rochester Grammar School. The Alliance supports principals of a fully integrated thinking school, teaching children to be independent learners by providing strategies to develop their thinking skills.
29. The Glyn Learning Foundation is a cross-phase multi academy trust based in Surrey comprising the Glyn Secondary School and Danetree Junior School. The Foundation also provides the Executive Headteacher to a third Surrey Primary School. The Glyn School is a National Support School and the Executive Headteacher is a National Leader of Education. The Foundation has been granted sponsor academy status. The Foundation supports an 'Every child counts' philosophy. Children would be encouraged to enjoy learning and benefit from an inclusive ethos, excellent teaching underpinned by strong leadership.

## **Are there choices?**

### **Option 1: No Change**

30. There is an increasing demand for primary school places in Reigate and Banstead. A new primary school is needed. Surrey would not be fulfilling its duty to provide sufficient school places if the new school is not provided.
31. Surrey County Council must assess the suitability of the academy/free school proposals that have been received and forward the proposals to the DfE. The Secretary of State for Education will decide whether one of the academy/free school proposals will go forward.
32. Therefore, no change is not an option.

### **Option 2: Proceed with the proposal with modification of the year when the new school is to be opened**

33. The only option would be a delay in the implementation date as there is insufficient time to bring it forward. Additional primary school places are needed now and demand is increasing. A delay in the implementation date would delay the provision of places.
34. Therefore, the implementation date should not be modified.

### **Option 3: Proceed with the proposal to open a new school and decide on the preferred academy proposer and submit this to the Secretary of State**

35. Surrey County Council must assess the suitability of the academy/free school proposals that have been received and forward the proposals to the DfE. SCC can decide which of the proposals it prefers. It can then submit this information to the DfE so the Secretary of State will take it into consideration when deciding whether any of the proposals are suitable, and if so, which one will be successful and be the proposer for the new school.
36. It would be better for SCC to influence this decision than to give no information to the DfE as to which proposal it thought best suited the needs of families in the Horley area.
37. If the Secretary of State decides none of the proposals are suitable, then SCC would be granted permission to hold a competition to decide who will propose the new school. SCC would then embark on the competition process.
38. Therefore this would be an appropriate option.

### **Financial and value for money implications**

39. SCC has approved a significant capital programme for expansion of school places in Surrey to meet the increasing demand over the next five years.
40. The provision of a new primary school in Reigate is on the Education Capital Programme.
41. If the school is an academy/free school, then the revenue funding is *generally* provided directly by the DfE. However, the DfE have indicated that there would be an expectation that local authorities would support *new schools with additional transitional costs*. Any such additional funding would be a call on the LA's Dedicated Schools Allocation. The basis of such funding in or after

2013/14 would require the agreement of the Schools Forum or the Secretary of State. It is possible that additional revenue funding for the school may be required in the current financial year for pre opening costs. This has not been provided in the 2012/13 Schools Budget, although in practice additional DSG brought forward from previous years would cover it. There is no reason to think that the revenue costs of establishing the new school would differ appreciably between a free school and a school directly funded by Surrey.

### **Equalities implications**

42. This educational provision would be for children in the community served by the school. If there is sufficient provision available, then it would be beneficial for all children, including vulnerable children. The proposers were required to indicate how they would benefit vulnerable children and those with special educational needs. Any preferred proposal will be one that will cater effectively for these groups.
43. The proposal is for an expansion of provision, so more staff would be employed.

### **Risk management implications**

44. A project to deliver the new school buildings for September 2013 will be required. The normal process would be for the successful proposer to deliver the school. This would take too long for a school to be delivered on time. In this instance Therefore, to avoid the risk that a school building would not be delivered on time, Surrey County Council will build the school and it will be transferred to the successful proposer.

### **Climate change/carbon emissions implications**

45. The County Council attaches great importance to being environmentally aware and wishes to show leadership in cutting carbon emissions and tackling climate change.

### **Legal implications/legislative requirements**

46. Section 1 of the Education and Inspections Act 2006 inserts section 13A into the Education Act 1996, which places a duty on local education authorities (ie Local Authorities with responsibility for the functions of education in their area) to promote high standards and the fulfilment of potential. A local education authority shall exercise its functions with a view to promoting high standards, ensuring fair access to educational opportunity, and promoting the fulfilment by every child concerned of his educational potential. The duty of promotion means a local education authority should be proactive in the discharge of its functions.
47. Section 13 of the Education Act 1996 places a general duty on local education authorities to secure that efficient primary education is available to meet the needs of the population of their area. Section 14 of the Education Act 1996 places a duty on local education authorities to secure that sufficient schools for providing primary education are available in their area. Section 5 of the School Standards and Framework Act 1998 places a duty to promote high standards. Therefore, there is a duty to provide efficient education and sufficient schools to do so.

48. The Academies Act 2010 defines academies and free schools as independent school that enter into a funding agreement with the Secretary of State for Education, and so are directly funded by the DfE.
49. The provisions Schedule 11 of the Education Act 2011 regarding establishment of school came into force on 1 February 2012. This inserted S6A into the Education & Inspections Act 2006 such that if a local authority in England thinks a new school needs to be established in their area, they must seek proposals for the establishment of an Academy.

#### **Corporate Parenting/Looked After Children implications**

50. This proposal would provide increase provision in the area, which would be of benefit to all in the community served by the school. This means it would, therefore, also be of benefit to any looked after children who will attend the school.

#### **Section 151 Officer commentary**

51. The Section 151 Officer confirms that financial issues have been considered, but the full revenue and capital cost implications will be considered as part of the more detailed business case which will be submitted to the investment panel. The s151 officer specifically notes that any additional transport costs would not be eligible DSG expenditure.

#### **RECOMMENDATIONS:**

It is recommended that the Cabinet Member makes a decision on the preferred Proposer for a new two form entry primary school in Reigate and Banstead. This will then be submitted to the DfE for consideration and determination.

#### **REASONS FOR RECOMMENDATIONS:**

Additional primary places in the area are necessary. Provision of a new school would increase diversity of provision, providing school places to meet the long term needs of local children, promoting high standards, ensuring fair access to educational opportunity, and promoting the fulfilment by every child of their educational potential. SCC should identify the most appropriate Proposer to meet the needs of the area.

#### **WHAT HAPPENS NEXT:**

All academy/free school proposals will be forwarded to the Department for Education (DfE). Subject to the Cabinet Member decision, the preferred Proposer will be identified and this information submitted to the DfE. The Secretary of State for Education will decide who will be the Proposer, or if no proposals are suitable, SCC would hold a competition.

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#### **Contact Officer:**

Nicholas Smith, School Commissioning Officer, 020 8541 8902

**Informed:** *Nick Wilson, Strategic Director Children, Schools and Families*  
*Peter-John Wilkinson, Assistant Director Children, Schools and Families*



**Sources/background papers:**

The Education Act 1996; the School Standards and Framework Act 1998; the Education Act 2002; the Education Act 2005; the Education and Inspections Act 2006; The Academies Act 2010; the Education Act 2011.

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