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School Organisation and Provision

## **Appointment of academy sponsor for new primary school at Snelsmoor Grange, Boulton Moor**

### **Purpose**

- 1.1 A new housing development is proposed at Snelsmoor Grange, Boulton Moor, for 800 dwellings. It is anticipated that 224 primary school pupils will be generated by a development of this size. In addition, a housing development on Fellow Lands Way, Chellaston, made up of 190 dwellings, has recently been completed. Based on the Council's pupil yield multipliers, the total of 990 new dwellings across the two developments will generate an estimated 277 primary aged pupils.
- 1.2 Derby City Council has identified that additional primary capacity is required at Boulton Moor to serve the new housing developments at Snelsmoor Grange and Fellow Lands Way. A new one and a half form entry primary school (315 pupils), with a 39-place nursery, is proposed to open in September 2023, to be located on a new site within the Snelsmoor Grange housing development. Work is due to begin on the new school building in Summer 2022.
- 1.3 The Education Act 2011 changed the arrangements for establishing new schools and introduced section 6A (the free school presumption) to the Education and Inspections Act 2006. Where a Local Authority (LA) considers there is a need for a new school in its area, it must seek bids from potential sponsors to establish an academy (free) school.
- 1.4 Following Council Cabinet approval, the competition process for Snelsmoor Grange primary school launched on 15 February 2022, with a six-week period for potential sponsors to submit bids.
- 1.5 The Council has held a competition process, in line with Department for Education (DfE) guidance, to identify a sponsor to open the new school at Snelsmoor Grange. Following a detailed evaluation of bids, this report seeks approval to recommend to the Secretary of State the highest scoring bidder as the Council's preferred sponsor. It should be noted that the Secretary of State will take the Council's preferred sponsor into consideration but has the option to decide to appoint an alternative sponsor.
- 1.6 The DfE asks that preferred sponsors are not made public until the Secretary of State has taken the final decision to appoint a sponsor. This report does not, therefore, name the Council's suggested preferred sponsor. Additional confidential information, based on the detailed evaluation and scoring of bids, is provided to Council Cabinet and set out in the part 2 confidential Cabinet report, to enable a decision to be taken

on the approval of the Council's preferred sponsor.

## **Recommendations**

- 2.1 To approve the Council's preferred sponsor for Snelsmoor Grange primary school for recommendation to the Secretary of State, as set out in the part 2 confidential Cabinet report.
- 2.2 To delegate authority to the Strategic Director of Peoples Service to provide the notification of the Council's preferred sponsor for Snelsmoor Grange primary school to the Secretary of State, on behalf of the Council.

## **Reasons(s)**

- 3.1 A new primary school is required to accommodate pupils from housing developments at Fellow Lands Way, Chellaston, and Snelsmoor Grange, Boulton Moor. Where a Local Authority (LA) thinks there is a need for a new school in its area, it must seek proposals from potential sponsors to establish a free school.
- 3.2 The Council is able to make a recommendation to the Secretary of State on its preferred sponsor, following an evaluation of proposals. The decision on which sponsor is appointed to open the new school is then taken by the Secretary of State.

## **Supporting Information**

- 4.1 A new housing development is proposed at Snelsmoor Grange, Boulton Moor, for 800 dwellings. It is anticipated that 224 primary school pupils will be generated by a development of this size. In addition, a housing development on Fellow Lands Way, Chellaston, made up of 190 dwellings, has recently been completed. Based on the Council's pupil yield multipliers, the total of 990 new dwellings across the two developments will generate an estimated 277 primary aged pupils.
- 4.2 Derby City Council has identified that additional primary capacity is required at Boulton Moor to serve the new housing developments at Snelsmoor Grange and Fellow Lands Way. A new one and a half form entry primary school (315 pupils), with a 39-place nursery, is proposed to open in September 2023, to be located on a new site within the Snelsmoor Grange housing development.
- 4.3 The proposal is for the new school to build up its pupil numbers incrementally, increasing by one year group each year. This means that upon opening in September 2023, the school would admit children into the Reception year group only, with an admission number of 45. In September 2024, the school would then admit into Reception and Year 1, and so on, until all year groups are open from September 2029. This approach will remain under review, should there be a need to open up year groups early, in response to demand for pupil places from the housing development.

- 4.4 Work is due to begin on the new school building in Summer 2022. An indicative timeline for the proposed new primary school is attached as Appendix 1 to this report.
- 4.5 The Education Act 2011 changed the arrangements for establishing new schools and introduced section 6A (the free school presumption) to the Education and Inspections Act 2006. Where a Local Authority (LA) thinks there is a need for a new school in its area, it must seek bids from potential sponsors to establish a free school. In order to submit a bid to run a new school, an organisation must already be a Department for education (DfE) approved sponsor or must be assessed by the DfE through their sponsor approval process.
- 4.6 The Council has followed DfE guidance on the process for identifying a sponsor to open the new school at Snelsmoor Grange. Following Council Cabinet approval, the competition process for Snelsmoor Grange primary school launched on 15 February 2022, with a six-week period for potential sponsors to submit bids.
- 4.7 Following the deadline for the receipt of bids, a detailed assessment process was carried out by the Evaluation Panel, and bids were scored against the DfE model criteria. The main headings for scoring were as follows:
- Vision
  - Curriculum
  - Measuring pupil performance.
  
  - Staffing structure
  - Ensuring inclusivity
  - Experience and credentials
  - Governance structure
- 4.8 Each of the seven headings above was scored between 0 - 3, giving a maximum score of 21 as follows:

QUALITY SCORE CRITERIA	MARKS
The evidence and argument contained in the application is <b>'inadequate'</b> .	0
The evidence and argument contained in the application is <b>'adequate'</b> .	1
The evidence and argument contained in the application is <b>'good'</b> .	2
The evidence and argument contained in the application is <b>'excellent'</b> .	3

- 4.9 No weightings were applied to any of the criteria. The Evaluation Panel initially carried out individual scoring and then met to moderate their scores and give each bidder a final overall score.

- 4.10 Following the evaluation of bids, Council Cabinet approval is now sought to recommend to the Secretary of State that the highest scoring bidder is the Council's preferred sponsor. It should be noted that the Secretary of State will take the Council's preferred sponsor into consideration but has the option to decide to appoint an alternative sponsor.
- 4.11 The Department for Education (DfE) requests that preferred sponsors are not made public until the Secretary of State has taken the final decision to appoint a sponsor. This report does not, therefore, name the Council's preferred sponsor. Additional confidential information, based on the detailed evaluation and scoring of bids, is provided to Council Cabinet in the part 2 confidential Cabinet report, to enable a decision to be taken on the approval of the Council's preferred sponsor.
- 4.12 The process to identify a sponsor for the new primary school at Snelsmoor Grange has followed a similar approach as with the Hackwood Primary Academy and Castleward Spencer Academy competition processes.
- 4.13 With regard to secondary school places, the Snelsmoor Grange housing development is within the catchment area of Noel-Baker Academy, which currently has some surplus capacity.

### **Public/stakeholder engagement**

- 5.1 The Council has followed Department for Education (DfE) guidance in the promotion of the free school competition and has invited applications from DfE approved groups and organisations. Once a sponsor has been appointed, they are required to carry out formal consultation with stakeholders and the local community during the pre-opening phase of the new school.

### **Other Options**

- 6.1 The Council has a statutory duty to plan sufficient school places for the City. The option of creating no additional provision was discounted as there is very limited surplus capacity available in primary schools close to the sites. It was not considered possible to expand existing primary schools to the extent needed to accommodate estimated pupil numbers.

### **Financial and Value for Money issues**

- 7.1 With regard to the Snelsmoor Grange and Fellow Lands Way developments, the proposed new primary school is an important part of the Council's infrastructure planning, to meet demand for school places arising from the new properties. The school will be fully funded through Section 106 funding from the developments.
- 7.2 Local authorities are required to meet the initial revenue costs of new school provision. These costs are eligible expenditure to be funded through the Dedicated Schools Grant.

### **Legal Implications**

- 8.1 The Education Act 2011 reviewed the arrangements for establishing new schools and introduced section 6A (the academy / free school presumption) to the Education and Inspections Act 2006. Where a LA considers there is a need for a new school in its area, it must seek proposals to establish an academy / free school.

### Other significant implications

- 9.1 An Equalities Impact Assessment has been completed in relation to the opening of the new primary school, which is required by the Secretary of State as the decision maker on the appointment of the successful sponsor.
- 9.2 Under regulations, the new school will need to be a free school and the school site leased by the Council to the new school's sponsor for a term of 125 years, as required by the DfE.

#### This report has been approved by the following officers:

Role	Name	Date of sign-off
<b>Legal</b>	Olu Idowu, Head of Legal Services	17/06/22
<b>Finance</b>	Janice Hadfield, Head of Finance	14/06/22
<b>Service Director(s)</b>	Gurmail Nizzer, Director of Integrated Commissioning	15/06/22
<b>Report sponsor</b>	Gurmail Nizzer, Director of Integrated Commissioning	15/06/22
<b>Other(s)</b>	Jo Ward, Head of Quality, Standards & Performance	14/06/22

<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Indicative timeline and stages to open the proposed new primary school

**Indicative timeline and stages to open the proposed  
new primary school at Snelsmoor Grange**

<b>Action</b>	<b>Timescale</b>
Invitation to submit proposals opens and documents are published on Council's website	Tuesday 15 February – Tuesday 29 March 2022
Invitation to submit a proposal - submission deadline	Tuesday 29 March 2022
Advise Secretary of State of all potential sponsors that have submitted proposals and send the proposals to the Department for Education.	Wednesday 30 March 2022
Assessment Panel to evaluate proposals.	Wednesday 30 March – Friday 13 May 2022
Assessment Panel to complete scoring against the criteria for each potential sponsor.	25 May 2022
Council Cabinet's approval of Council's recommended preferred sponsor.	13 July 2022
LA recommendation of preferred sponsor to Secretary of State.	19 July 2022
Secretary of State appoints sponsor.	Anticipated October 2022
LA writes to successful and unsuccessful proposers to advise of outcome.	October 2022
Successful sponsor consults.	
Conclusion of funding agreements by Department for Education.	
Sponsor to make headteacher and staff appointments.	
New school opens.	September 2023