



Derby City Council

**CHILDREN & YOUNG PEOPLE OVERVIEW
& SCRUTINY BOARD
9 December 2014**

ITEM 9

Report of the Strategic Director for Children and Young People

School Place Planning & Admissions

SUMMARY

- 1.1 There has been an unprecedented national increase in pupil numbers which is being experienced by most Local Authorities, including Derby. The Department for Education (DfE) estimates that, nationally, 417,000 additional school places will be needed over the lifetime of the current Parliament (2010 – 2015). Local authorities have a statutory duty to ensure sufficient school places for those pupils residing within their boundaries.
- 1.2 The number of applications for primary school places in Derby schools has increased significantly over recent years. According to January School Census figures, in 2010 there were 2,837 pupils within the Reception Year Group in Derby schools. In 2011, the number of Reception pupils increased to 2,952, an increase of 115 pupils (4%) in the space of one year. In 2012, the number of Reception pupils grew by 121 pupils (4%) to 3,073. In 2013, the number of Reception pupils increased again by 220 pupils (7%) to 3,293. In 2014, the number of Reception pupils dropped in comparison to the previous year to 3,121 but was still higher than it has been historically. It is important to note that the increases relate to Reception Year Groups only and that these higher numbers will move through the school system.
- 1.3 In order to ensure sufficient school places for Derby, work has been carried out on developing and delivering strategic school place planning projects based on detailed projections and pupil data. In addition to a range of school expansions, an exciting project has been delivered creating an all-through school at Bemrose School by increasing the age range to include primary school provision. The Council has worked closely with the schools that have increased in size and has negotiated and agreed proposals with them, and governing bodies. Successful bids were submitted for Targeted Capital Funding, with £5,108,624 secured in relation to seven of the school expansions.
- 1.4 Following the School Expansions Programme, the situation with this year's Reception offers against places is as follows:

	No reception places following expansions	Total No. Reception Offers - 2014	Vacancies
Total	3,529	3,121	408

- 1.5 The table below sets out data on the level of parental preferences that were met for September 2014 Reception offers:

First preference offers	Second Preference Offers	Third preference offer	Unplaced
90.1%	5.1%	1.5%	3.3%

In line with the requirements of the School Admissions Code 2012, all children not offered any of their preferences have been allocated a place at the nearest school to their home address with places available. Appendix 2 sets out further data on intake preferences in Derby City for 2014/15.

- 1.6 As part of its role, the Admissions Section also provides expert high level advice relating to applications to oversubscribed schools bound by Infant Class Size Prejudice (ICSP) to stakeholders, partners and agencies including own admission authority schools, Education Welfare, New Communities Support , Social Care, Inclusion and Special Educational Needs Teams. Appendix 3 included within this report provides a brief overview of school admissions in respect of the infant class size law including the Council's requirement to comply with infant class size law and the positive relationships the Council is able to maintain with all our schools who are subject to the law.
- 1.7 As a result of the School Expansion Programme, it is anticipated that there will be sufficient primary school places available in Derby over future years to meet local needs. This ensures that the Council is able to continue to meet its statutory duty to provide enough school places for pupils residing within its boundary. This is positive news, as many LAs have significant problems with sufficient school places.
- 1.8 Pupil numbers will continue to be closely monitored and reviewed. With regard to secondary school places, there are currently surplus places available in some schools and it is anticipated that there will be sufficient places to accommodate growth in pupil numbers up to 2018-19, although any new housing developments will require separate consideration. Secondary pupil projections continue to be analysed to identify when and where expansion proposals may be needed in the future.
- 1.9 Work is also continuing on strategic school place planning in response to the Council's proposed Core Strategy, with around 18,000 new properties proposed within Derby or on the edge of the City and further development proposed within the City. In order to respond to the significant increase in pupil numbers, it is inevitable that new schools will be required. It is likely that 5 or 6 new primary schools and 1 or 2 new secondary schools will be required, either within the City or County, to deal with the growth in housing numbers around the Southern edge of the City / County boundary. Derby City Council and Derbyshire County Council are legally responsible for providing education for those pupils residing within their own administrative boundaries. This is complex as the proposed new housing developments straddle both the City / County boundaries.

RECOMMENDATION

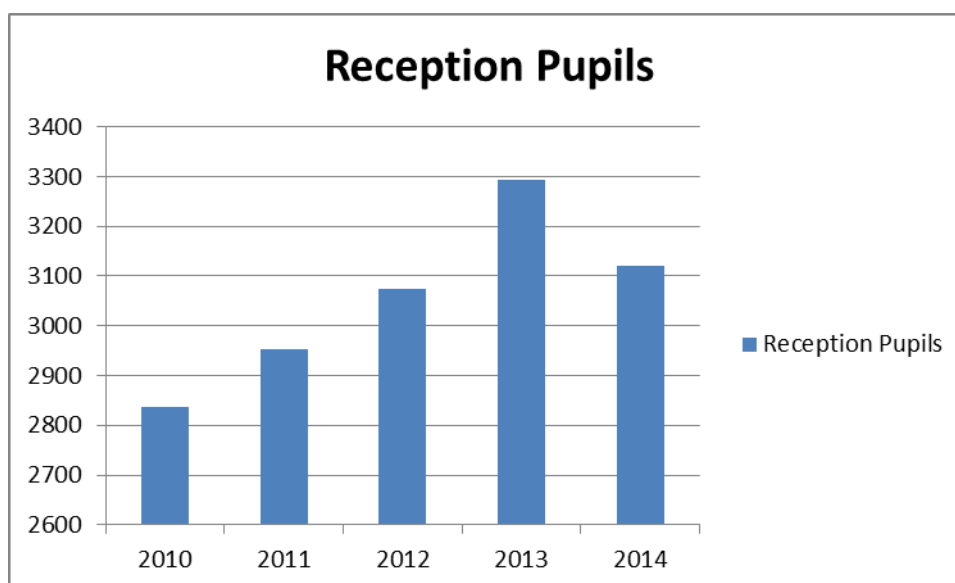
- 2.1 To note that, due to the school expansion projects that were implemented from September 2014, the Council is able to continue to meet its statutory duty to provide sufficient school places for those pupils residing in its boundary.
- 2.2 To note the level of parental preferences that have been met with increasing pressure on school places and rising pupil numbers.
- 2.3 To note that Derby City Council and Derbyshire County Council are working together closely to shape and develop proposals on school place planning, aligned to the Housing Core Strategies.

REASONS FOR RECOMMENDATION

- 3.1 There has been an unprecedented national increase in pupil numbers which is being experienced by most Local Authorities, including Derby. In order to ensure sufficient school places, work has been carried out on strategic school place planning using projections and pupil data to identify and develop school expansion proposals. The school expansion projects have been delivered to very tight timescales and within limited budgets.
- 3.2 Nationally, there continues to be pressure on school places. Derby is now well positioned to meet its statutory duty to ensure sufficient places. The Council will continue to monitor pupil data and projections.
- 3.3 School place planning options are being developed in order to deal with pupil growth arising from Core Strategy proposals.

SUPPORTING INFORMATION

- 4.1 The number of applications for primary school places in Derby schools has increased significantly over recent years. According to January School Census figures, in 2010 there were 2,837 pupils within the Reception Year Group in Derby schools. In 2011, the number of Reception pupils increased to 2,952, an increase of 115 pupils (4%) in the space of one year. In 2012, the number of Reception pupils grew by 121 pupils (4%) to 3,073. In 2013, the number of Reception pupils increased again by 220 pupils (7%) to 3,293. In 2014, the number of Reception pupils dropped in comparison to the previous year to 3,121 but was still higher than it has been historically. It is important to note that the increases relate to Reception Year Groups only and that these higher numbers will move through the school system. It is also necessary to have contingency in the system to deal with any in-year movement of pupils.
- 4.2 Based on the above figures, between 2010 and 2013, the number of pupils in Derby's Reception Year Groups increased significantly by 456 pupils (16%). This is a huge increase in demand for pupil places in a relatively short space of time. In 2014, the number of Reception pupils dropped to 3,121, although this figure is still relatively high when compared with historic pupil numbers. The graph below shows how the number of Reception pupils has changed since 2010.



4.3 In order to ensure sufficient school places for Derby, work has been carried out on developing strategic school place planning proposals based on detailed projections and pupil data. A number of school expansions have successfully been developed and were implemented from September 2014. One further expansion proposal at Springfield Primary is planned for September 2015. The table below summarises the school expansion projects.

School	Previous PAN	Proposed PAN	Additional places per year group
Allenton Comm Primary School	52	60	8
Beaufort Primary School	45	60	15
Breadsall Hill Top Infant School*	60	90	30
Breadsall Hill Top Junior School*	60	90	30
Cherry Tree Hill Primary School	65	90	25
Derwent Primary School	30	45	15
Firs Estate Primary School	45	50	5
Markeaton Primary School	45	60	15
Mickleover Primary School	55	60	5
Osmaston Primary School	60	90	30
Portway Infant School	80	90	10
Portway Junior School	80	90	10
Redwood Primary School	75	90	15
Roe Farm Primary School	45	60	15
Silverhill Primary School	52	60	8
<i>Springfield Primary School</i>	30	45	15
The Bemrose School	0	45	45
Village Primary School	75	90	15
Walter Evans CE Primary School	45	60	15
Overall Total	999	1,325	326

*Now a single primary school.

4.4 Successful bids were submitted for Targeted Capital Funding, with £5,108,624 secured in relation to seven of the school expansions. Statutory processes have been carried out in relation to the proposals as required under School Organisation Regulations, including consultation, publishing statutory notices and reporting to Council Cabinet. The processes to expand the schools have been aligned with the work of the School Admissions Team which has offered places for September 2014 in line with the new increased admission numbers.

- 4.5 For September 2014, 3,121 offers have been made in the Reception Year Group with 3,529 places available. This means that there are 408 surplus places in this year group (12%) to deal with in-year movement of pupils. Overall, the balance of primary pupil numbers and places now seems appropriate.
- 4.6 The closing date for Reception intake 2014 applications was 15 January 2014; applications received after that date **must** be considered as 'late' applications. For the Reception 2014 intake, the Admissions Service received a total of **3,121** applications which included in the region of 400 late applications.

The table below sets out data on the level of parental preferences that were met for September 2014 Reception offers in Derby:

First preference offers	Second Preference Offers	Third preference offer	Unplaced
90.1%	5.1%	1.5%	3.3%

For all schools, with the exception of Grampian Primary, (where 2 on time normal area applications were refused) all on time requests for normal area school places were met. All children not offered one of their preferences have been allocated a place at the nearest school with places available. Appendix 2 sets out data on parental preferences for all intake year groups in Derby City for this year, and includes data on the percentage of parents who applied online.

- 4.7 Originally, parents could only submit applications using the Council's Common Application Form. As a result of the Service's commitment to improving outcomes for children and families, parents are now able to submit the following:-
- Online applications
 - E-form applications
 - Telephone applications
 - Paper application forms
- 4.8 Admission Appeals are a judicial process and a legal right of parents. Parents have an option of appealing against for any preferences that the Council has been unable to meet higher than the final offer.
- 4.9 As part of its role, the Admissions Section also provides expert high level advice relating to applications to oversubscribed schools bound by Infant Class Size Prejudice (ICSP) to stakeholders, partners and agencies including own admission authority schools, Education Welfare, New Communities Support, Social Care, Inclusion and Special Educational Needs Teams. Appendix 3 included within this report provides a brief overview of school admissions in respect of the infant class size law including the Council's requirement to comply with infant class size law and the positive relationships the Council is able to maintain with all our schools who are subject to the law.

- 4.10 In summary, Derby City Council has a statutory duty to ensure sufficient school places for pupils living within its boundary. It is important to ensure sufficient surplus capacity and having contingency in the system to deal with growth, balanced against the issue of having too many places. As a result of the School Expansion Programme, it is anticipated that there will be sufficient primary school places available over future years to meet local need.
- 4.11 Pupil numbers will continue to be closely monitored and reviewed. With regard to secondary school places, there are currently surplus places available in some schools and it is anticipated that there will be sufficient places to accommodate growth in pupil numbers up to 2018-19, although any new housing developments will require separate consideration. Secondary pupil projections continue to be analysed to identify when and where expansion proposals may be needed in the future.
- 4.12 Work is also continuing on strategic school place planning in response to the Council's proposed Core Strategy, with around 18,000 new properties proposed within Derby or on the edge of the City and further development proposed within the City. In order to respond to the significant increase in pupil numbers, it is inevitable that new schools will be required. It is likely that 5 or 6 new primary schools and 1 or 2 new secondary schools will be required, either within the City or County, to deal with the growth in housing numbers around the Southern edge of the City / County boundary.
- 4.13 Derby City Council and Derbyshire County Council are legally responsible for providing education for those pupils residing within their own administrative boundaries. This is complex as the proposed new housing developments straddle both the City / County boundaries. New education provision on this scale raises a number of issues around funding, timing, impact on existing provision and so on. The emerging school place planning proposals are, as expected, generating interest both politically and in the media. The two local authorities will continue to work closely together on school place planning to help shape and develop proposals.
- 4.14 There will be significant financial issues for consideration once a preferred option for providing school places has been developed. Section 106 funding will be sought from developers to provide the school places required. However, there may be issues with timescales for accessing the funding and pooling developer contribution which will require careful consideration. Land acquisition for any new schools, particularly secondary schools, could be challenging. Developers can only be asked for funding to mitigate the impact of their development and not to address any existing issues with schools places. Update reports will be provided and Councillor decisions will be required in due course.

OTHER OPTIONS CONSIDERED

- 5.1 In developing strategic school place planning proposals, very careful consideration was given to pupil data and projections. There were various constraints in relation to identifying which schools should be expanded as some schools are already large and some school sites do not allow for expansion.

This report has been approved by the following officers:

Legal officer	None
Financial officer	None
Human Resources officer	None
Estates/Property officer	None
Service Director(s)	None
Other(s)	Gurmail Nizzer, Head of School Organisation & Provision

For more information contact:	Gurmail Nizzer, Head of School Organisation and Provision, tel. 01332 642720, email Gurmail.nizzer@derby.gov.uk
List of appendices:	Appendix 1 – Implications Appendix 2 – Admissions Data Appendix 3 – School Admissions and Infant Class Size Law

IMPLICATIONS

Financial and Value for Money

- 1.1 In response to increasing pupil numbers, the Government has made available capital funding to create additional school places in those areas experiencing the greatest pressure on places. Derby has been successful in bidding for £5.1million of Government funding and has carefully considered what proposals should be put forward to create much needed additional primary school places.
- 1.2 To ensure that the Council can continue to meet its legal duty to provide sufficient school places, the Council has also prioritised further capital funding for additional primary school places. With regard to the proposal to create primary school provision at Bemrose School, a £4million scheme has been prioritised by the Council.

Legal

- 2.1 Each local authority with responsibility for education has to secure sufficient primary and secondary education to meet the needs of the population of their area, under s.13 Education Act 1996.

Personnel

- 3.1 None arising from this report.

IT

- 4.1 None arising from this report.

Equalities Impact

- 5.1 None arising from this report.

Health and Safety

- 6.1 None arising from this report.

Environmental Sustainability

- 7.1 None arising from this report.

Property and Asset Management

8.1 None arising from this report.

Risk Management

9.1 If school expansion projects were not in place for September 2014, there could have been a shortfall of pupil places in future years meaning that Derby would fail to meet its statutory duty.

Corporate objectives and priorities for change

10.1 The proposal supports the Corporate Priority of building ambition, aspiration and achievement in the city's young people.

Appendix 2

Intake applications 14/15 Academic Year

Intake Year group	Applications						Offers					
	1 Preference	2 Preferences	3 Preferences	4 Preferences	Online applications	Number of applications	1 st Preference	2 nd Preference	3 rd Preference	4 th preference	unplaced	Total offers
Reception	1339	746	1036	NA	2181 (70%)	3121	2812 (90.1%)	159 (5.1%)	47 (1.5%)	NA	103 (3.3%)	3121
Junior Transfer	803	193	74	NA	651 (61%)	1070	1006 (94%)	36 (3.4%)	0	NA	28 (2.6%)	1070
Secondary Transfer	1145	651	692	100	1734 (67%)	2588	2208 (85.3%)	225 (8.7%)	78 (3%)	10 (0.4%)	67 (2.6%)	2588
Totals	3287	1590	1082	100	4566	6779	6026	420	125	10	198	6779

Secondary Transfer online applications statistics

2008 intake – 26.8%

2009 intake - 44.3%

2010 intake – 50.7%

2011 intake – 55%

2012 intake – 66.1%

2013 intake - 68% (including e-forms)

2014 intake – 67%

School Admissions and Infant Class Size Law

School Admissions: The School Admissions Section provides a predominantly frontline service aimed at enabling as many parents to obtain a place for their children at their preferred school(s). The Admissions service continually strives to improve access to information which supports improved decision making by parents.

There is a very large element of high level support and guidance involved in assisting parents to make the best possible choices. One example is where the Admissions Section provides expert high level advice relating to applications to oversubscribed schools bound by Infant Class Size Prejudice (ICSP) to stakeholders, partners and agencies including own admission authority schools, Education Welfare, New Communities Support, Social Care, Inclusion and Special Educational Needs Teams.

Infant Class Size Law: The law says that the admission authority must comply with any preference expressed by a parent except where to do so would prejudice the provision of efficient education or the efficient use of resources.

The law also says that there must not be more than 30 pupils in an infant class. If a school admits more than 30 pupils to an infant class (outside the prescribed exceptions detailed in paragraph 2.5 of the School Admissions Code), it must take qualifying measures to comply with infant class size law. Such measures amount to prejudicing the efficient use of resources.

When an admissions authority refuses to admit a child because to do so would breach the infant class size limit, the subsequent appeal is an '**infant class size appeal**'. Such appeals can only be upheld by an Independent Appeal Panel if there was an error in the admissions process, or it considers the decision of the admission authority not to admit is perverse in the circumstances of the case.

Paragraph 2.5 of the School Admissions Code states infant classes (those where the majority of children will reach the age of 5, 6 or 7 during the school year) **must not** contain more than 30 pupils with a single school teacher*. Additional children may be admitted under limited exceptional circumstances. **These children will remain an 'exceptional pupil' for the time they are in an infant class or until the class numbers fall back to 30. The prescribed excepted children are:**

- a) children admitted outside the normal admissions round with statements of special educational need or Education Health and Care Plans specifying a school;
- b) looked after children and previously looked after children admitted outside the normal admissions round;
- c) children admitted, after initial allocation of places, because of a procedural error made by the admission authority in the original application process;
- d) **children admitted after an independent appeals panel upholds an appeal;**

- e) children who move into the area outside the normal admissions round for whom there is no other available school within reasonable distance;
- f) children of UK service personnel admitted outside the normal admissions round;
- g) Children whose twin or sibling from a multiple birth is admitted otherwise than as excepted pupil;
- h) Children with special educational needs who are normally taught in a special educational needs unit attached to the school, or registered at a special school who attend some infant classes within the mainstream school.

(The normal admissions round is the period during which parents are invited to express a minimum of three preferences for a place at any state-funded school, in rank order on the common application form provided by their home local authority. The statutory deadlines for parental applications of 31 October for secondary places; 15 January for primary places.)

The Admissions Section maintains positive relationships with our schools by fully recognising the challenges for schools required to admit children into infant classes already at, or above 30.

The Admissions Section would only approach a school directly to request they consider admission of a pupil above 30 under the prescribed exceptions **b), c) and e**. This then allows both the council and the school to engage in dialogue to consider each case on an individual basis; should the school agree to admit they fully understand they are not be required to take qualifying measures if the class group remains above 30 for academic year following the pupil's admission. Where it is agreed that to admit any further pupils would be prejudicial to the efficient education of pupils already in the class, the council advises parent of their right to appeal to the Independent Appeal Panel - see d) above.

Alternatively the Council can direct or instruct a school to admit; a direction or instruction to admit would only be considered as a last resort where agreement cannot be reached. It is more than a positive reflection on the relationships between schools and the Admissions Section to report that, despite the unprecedented increase in pupil numbers in the infant phase, no directions or instructions have been issued under in this context since 2011, nor have any infant class size appeals been allowed due to an error in the admissions process.