

County Offices  
Newland  
Lincoln  
LN1 1YL

6 June 2013

**Children and Young People Scrutiny Committee**

A meeting of the Children and Young People Scrutiny Committee will be held on **Friday, 14 June 2013 at 10.00 am in Committee Room One, County Offices, Newland, Lincoln LN1 1YL** for the transaction of the business set out on the attached Agenda.

Yours sincerely



Tony McArdle  
Chief Executive

**Membership of the Children and Young People Scrutiny Committee (19 Members of the Council and 6 Added Members)**

Councillors J D Hough (Chairman), B Adams (Vice-Chairman), Mrs J P Churchill, S R Dodds, A G Hagues, J R Hicks, R J Hunter-Clarke, B W Keimach, Mrs S Ransome, Mrs N J Smith, S M Tweedale, Mrs L Wootten and Mrs S M Wray

6 vacancies

**Added Members**

Church Representatives: Mr S C Rudman, Mr P Thompson and Mrs G Wright

Parent Representatives: Mr C V Miller, Mrs E Olivier-Townrow and Dr E van der Zee



**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE AGENDA  
FRIDAY, 14 JUNE 2013**

<b>Item</b>	<b>Title</b>	<b>Pages</b>
<b>1</b>	<b>Apologies for Absence / Replacement Members</b>	
<b>2</b>	<b>Declaration of Members' Interest</b>	
<b>3</b>	<b>Minutes of the meeting of the Children and Young People Scrutiny Committee held on 1 March 2013</b>	1 - 10
<b>4</b>	<b>Future Priorities for the Children and Young People Scrutiny Committee</b> <i>(Members are invited to suggest and discuss possibilities for future priorities for the Committee)</i>	
<b>5</b>	<b>Introduction to Children's Services</b> <i>(To receive a presentation from Debbie Barnes, Executive Director of Children's Services, which will provide the Committee with an introduction to Children's Services)</i>	
<b>6</b>	<b>Proposal to Expand Kirton Primary School (Final Decision)</b> <i>(To receive a report from Debbie Barnes, Executive Director of Children's Services, which invites the Committee to consider the proposal to expand Kirton Primary School)</i>	11 - 110
<b>7</b>	<b>Proposal to Expand Coningsby St Michael's Church of England Primary School (Final Decision)</b> <i>(To receive a report from Debbie Barnes, Executive Director of Children's Services, which invites the Committee to consider the proposal to expand Coningsby St Michael's Church of England Primary School)</i>	111 - 152
	<b><i>The Government Guidance (Appendix 1A) for this item is the same as Appendix 1A to Report Number 6.0. To avoid duplication, Members are asked to refer to this document where Appendix 1A is noted in Report Number 7.0.</i></b>	
<b>8</b>	<b>Proposal for a New Primary Academy in Bourne (Submission to Secretary of State of results and evaluation of process to identify an operator)</b> <i>(To receive a report from Debbie Barnes, Executive Director of Children's Services, which invites the Committee to consider the proposal for a new primary Academy in Bourne)</i>	153 - 216
<b>9</b>	<b>Performance - Quarter 4 2012/13</b> <i>(To receive a report from Debbie Barnes, Executive Director of Children's Services, which provides the Committee with a summary of Quarter 4 2012/13 performance for Children and Young People for each Performance Indicator)</i>	217 - 256

- 10 Corporate Parenting Panel Update** 257 - 268  
*(To receive a report by Debbie Barnes, Executive Director of Children's Services, which provides the Committee with an update on the work of the Corporate Parenting Panel)*
- 11 Safeguarding Boards Scrutiny Sub-Group - Introductory Item** 269 - 278  
*(To receive a report by Tracy Johnson, Scrutiny Officer, which provides the Scrutiny Committee with an introduction on the work of the Sub-Group)*
- 12 Children and Young People Scrutiny Committee Work Programme 2013** 279 - 286  
*(To receive a report by Tracy Johnson, Scrutiny Officer, which provides the Committee with an opportunity to consider its work programme)*

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**Please note:** for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

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**PRESENT: COUNCILLOR S F WILLIAMS (CHAIRMAN)**

Councillors P A Carpenter, C J Davie, M J Exton, M W Gilbert, J R Hicks, J D Hough, B W Keimach, C R Oxby, R B Singleton-McGuire, M Smith, R A Shore and C N Worth.

Added Members: Mrs E J Olivier-Townrow, Dr E van der Zee and Mrs G Wright.

Also in attendance:- Councillor D Brailsford (Executive Support Councillor for Children's Services and Lifelong Learning) and Paula Holdsworth (General Manager of Specialist Services, LPFT).

Officers in attendance: Michelle Andrews (Interim Head of Service – Property and Technology Management), Debbie Barnes (Executive Director of Children's Services), Keith Batty (Assistant Director - CfBT Education Services), Andrea Brown (Democratic Services Officer), Stuart Carlton (Assistant Director of Children's Services), Linda Duffield (School Organisation Planning Officer), Charlotte Gray (Commissioning and Development Officer), Tracy Johnson (Scrutiny Officer), Jo Kavanagh (Head of Service – Families Working Together) and Meredith Teasdale (Assistant Director of Children's Services).

**71. APOLOGIES FOR ABSENCE / REPLACEMENT MEMBERS**

Apologies for absence:- were received from Councillors Mrs P A Bradwell, A G Hagues and C J Underwood-Frost.

Dr B Roberts, Mr C V Miller and Mr S C Rudman (Added Members) also submitted apologies for absence.

**72. DECLARATIONS OF MEMBERS' INTERESTS**

Councillor Shore noted that he had a Personal Interest only in Item 4, Families Working Together.

**73. MINUTES**

It was noted that Resolution number one of Minute number 67 should be more specific in that the concerns raised were of a financial nature. Additionally, Members asked that future finance reports made clear the distinction between statutory and non-statutory figures. Officers explained that it was difficult to separate statutory and non-statutory figures as investment in non-statutory services reduced need for statutory interventions.

It was felt that paragraph iii. of Minute number 69 was misleading as it suggested that no alternative primary education provision was available but this was not the case. It was agreed that the following wording supersede that noted in the minute:-

In relation to exclusions within Primary Schools, there had been no primary alternative educational provision in Lincoln itself, with primary alternative provision in other Teaching and Learning Sites. However, the Mary Knox Centre had been renovated in 2012 and now provided alternative education for primary age students as part of a holistic assessment to decide on future school placement.

## RESOLVED

That the minutes of the previous meeting of the Committee, with the amendments noted above, held on 11 January 2013, be agreed as a correct record and signed by the Chairman.

### 74. FAMILIES WORKING TOGETHER

The Troubled Families Co-ordinator/Head of Youth Offending in Lincolnshire, Jo Kavanagh referred members to Report Ref. 4.0 before giving a presentation which provided an update on the development of the Families Working Together service.

The following information was noted in response to the comments made by the Committee:-

- i. Although families do not have to receive benefits in order to be eligible for this programme, it was confirmed that two of the three criteria set had to be met, one of which was Worklessness.
- ii. Practice supervisors in each locality were proactively working to ensure families, including those families which may be hard to reach, were identified and offered this support. The service was publicised to all agencies in each area to assist in capturing these families.
- iii. National research had suggested that average costs of up to £10k would be required to support each family. An average 12 month period of intervention was anticipated although it was acknowledged that some may take longer and some may decide to leave the process prior to completion.
- iv. Sustainability of the service would remain a key challenge which could only be achieved by partnership working. Secondment of staff from other partner agencies would be required for some areas of the project to ensure that consideration be given to how they interact with the families and identify what support is available to them.
- v. Initial timescales had been apportioned to setting up the service and now officers were working on sustainability and maintenance of that service. Consideration was also being given to the future when government funding was no longer available.
- vi. Work with families would be on the understanding that they would leave the process at some point, however the team would ensure that families were able to continue once they had withdrawn. A series of follow-up sessions with the families would also be undertaken to ensure that they were continuing with the processes identified to best suit their needs.
- vii. It was felt that the benefits of the process would be, in time, self-evident within society and therefore very much supported by the Committee.

- viii. Discussions and engagement with Clinical Commissioning Groups (CCGs) was planned for the future but that this initial contact had not yet been made as the CCGs would not be formally in place until 1 April 2013. Initial contact, however, had been positive in respect of their support for the service.
- ix. Many families were found to need support in basic day to day tasks, for example, setting boundaries and maintaining a routine for children to follow. Key workers were in a position to help parents to make those changes and then provide continued support over a period of time. This, in turn, would improve school attendance, reduce parental stress levels and generally improve family life. Although this may appear to be simple solutions, they are found to be key reasons why families find themselves in difficult situations.
- x. To date, only one identified family had been resistant to the process but key workers remain persistent in trying to provide support by utilising the right agencies as a steer into initial contact with the family.
- xi. Preparation for the Welfare Reform was ongoing and work continued with District Council's to identify those families who would see a significant impact as a result. Potential sanctions from other partners were being considered to be used in a positive way in order to help and assist families rather than as a perceived punishment.
- xii. Some families may not meet the criteria but require support. In this instance, these families would be signposted to other services who could meet their needs. A wide range of family support was commissioned with varying levels of intervention available to families in addition to the Families Working Together service.
- xiii. Members requested an update in twelve months.

## RESOLVED

1. That the report and presentation be noted.
2. That an update be added to the Work Programme in the first quarter of 2014.

## 75. CHILD AND ADOLESCENT MENTAL HEALTH SERVICES (CAMHS) UPDATE – TIER 2 PATHWAY

The Assistant Director for Children's Services, Stuart Carlton, introduced the report which updated the Committee on the performance of Lincolnshire's Tier 2 CAMH Service, following which he introduced Charlotte Gray and Paula Holdsworth, who gave a presentation on Lincolnshire's Mental Health and Wellbeing Service.

The presentation provided an overview of the challenges ahead for people aged 0-19 living in Lincolnshire in receipt of support services. At the end of the presentation, a video was shown to the Committee which highlighted the achievements of young people who had been part of these services within the county. Members were reassured that those young people who took part in the video had given their consent for their images to be used.

Following the presentation, the following points were made in response to Members' questions:-

- i. There remains a huge stigma attached to Mental Health issues for young people and it was difficult to make them known and provide support in how to deal with them. These issues were not necessarily confined to extremely vulnerable children and so work continued to raise awareness.

It was acknowledged that it may appear that there has been a significant increase in the numbers of children diagnosed with mental health problems, however it was noted that investment in the preventative service had raised awareness of the issue.

- ii. Research suggests that adults now suffering from poor Mental Health were likely to have been suffering as children. Now it was hoped that earlier diagnosis of these issues could support the child and reduce the impact on adult services.
- iii. The difference between Tier 2 and Tier 3 CAMHS was explained. The tiers represented the level of concern with Tier 2 being mild to moderate concern (incorporating anxiety, depression, low mood, etc) and Tier 3 being moderate to severe concern (high level of anxiety, depression, low mood including psychosis and self-harm, etc), where much more intensive therapy was required.
- iv. Members were signposted to a website designed for young people, Kooth.com, which provided online counselling to young people aged 11 to 25. The website had proved extremely popular and all evidence suggested that it was working well. The relationship between the online service and CAMHS was good with a representative of the website regularly attending CAMHS briefings and meetings. Partnership working was ensuring children had access to immediate, often local, advice whilst aiding a referral into CAMHS.
- v. LPFT were happy with the work being undertaken as the assistance for children was much better, centring around the needs of young people rather than what the organisations could provide.
- vi. Officers had been overwhelmed by the success of the service and it was felt that other areas could be supported by something similar, for example, children diagnosed with cancer.
- vii. Members requested that a future update be added to the Work Programme and also how to expand the use of the website for other services.

#### RESOLVED

1. That the report and presentation be noted.
2. That a future update be added to the Work Programme.

#### 76. CHILDREN WITH DISABILITIES COMMISSIONING STRATEGY AND ACTION PLAN

The Assistant Director for Children's Services, Meredith Teasdale, introduced the report which sought agreement from the Committee for the revised Action Plan, which had been drafted by a multi-agency group and set out actions to further improve the commissioning of services for Children with Disabilities.



The following responses were received to questions raised by Members:-

- i. As noted on page 14 of the Strategy and Action Plan, a multi-agency approach to transition would begin at age 13 and follow the young person through to age 25. It was noted that age 13 may be too early for some parents and so this was decided on an individual basis. Alternatively, discussions could start earlier but not until year 9.
- ii. An area of growth appeared to be within Autism and ADHD and pathways had been developed in both those areas.
- iii. In respect of exclusion of pupils from school who have Special Educational Needs (SEN), the work of the additional needs team included ensuring the CHOICE advisers, parents and schools were clear around the guidelines for exclusions. This was not specifically included in the policy and, at the Committee's request, the link to that recommendation in the School Admissions and Exclusions in Lincoln's final report would be added.
- iv. A report, which included details about work experience, was to be presented to the Transitions Board. It was agreed that this report would also be presented to a future meeting of the Children & Young People Scrutiny Committee for their consideration also and that this be added to the Work Programme.

#### RESOLVED

1. That the revised plan, subject to reference made regarding the exclusion of children with Special Education Needs, be AGREED.
2. That the report to be presented to the Transitions Board be added to the Work Programme for future consideration (title to be confirmed once known).

At 11.55am, Councillor R A Shore left the meeting and did not return.

#### 77. THEME PERFORMANCE: QUARTER 3

The Assistant Director for Children's Services, Stuart Carlton, introduced the report which provided a summary of performance for Children and Young People in Quarter 3 2012/13.

The following responses were received to questions raised by Members:-

- i. NI061 (Timeliness and stability of adoption of looked after children) – performance had reduced slightly due to a major drive from the government but officers were confident this would improve.
- ii. NI063 (Stability of placements of looked after children: length of placement) – stability of placements was key but it was acknowledged that there had been some disruptions in the system due to different behaviours. Work continued with foster carers to make them more resilient in dealing with young people with behavioural problems. The Committee requested that further information be brought back explaining the work being undertaken with foster carers.
- iii. NI062 (Stability of placements of looked after children: number of moves) – recruitment for foster carers for respite and full time care was ongoing which would hopefully increase performance in this area. The Committee requested additional information on the work around fostering be brought back with the next quarterly update.

- iv. CS117 (% 16-19 teenage mothers in EET) – this indicator was managed by Public Health. Opportunities available to young mothers and those pregnant in relation to EET remained a constant challenge.
- v. NI114 (Rate of permanent exclusions from school) – in terms of statutory right of entry into schools, there was not the same power of entry into academies as there was into local authority schools. Senior officers were liaising with schools to ascertain how these exclusions were dealt with. A working party was to be established with Head Teachers.

RESOLVED

1. That the report and update be noted.
2. That further information on NI063 and fostering be included in the Quarter 4 update.

78. PROPOSAL FOR A NEW PRIMARY ACADEMY IN BOURNE – (SUBMISSION TO THE SECRETARY OF STATE OF RESULTS AND EVALUATION OF PROCESS TO IDENTIFY AN OPERATOR)

The Chairman made the following statement in relation to this item:-

*"This report has been withdrawn from today's agenda to allow officers to investigate additional information which has been received on the process undertaken to select the operator and to determine the appropriate way forward within the remit of the competitive process".*

RESOLVED

1. That the withdrawal of the report, to allow officers to investigate further, be AGREED.

79. PROPOSED RELOCATION AND EXPANSION OF CROWLAND SOUTH VIEW COMMUNITY PRIMARY SCHOOL (FINAL DECISION)

The Interim Head of Property and Technology Management, Michelle Andrews, introduced the report which was an item for pre-decision scrutiny. Councillor Mrs Bradwell would be making a decision on this item on 19 March 2013.

Members felt that this was an excellent opportunity for the school and therefore supported the proposals in their entirety.

In addition, the Committee raised a question over the potential impact of the expansion of the school on pupil numbers at neighbouring primary schools. However, the Committee was reassured that the evidence available suggested the impact on the other local primary schools was likely to be minimal.

RESOLVED

1. That the recommendation to the Executive Councillor for Children's Services and Lifelong Learning, as set out in Report Ref. 9.0, be AGREED.

80. SCHOOL ADMISSIONS AND EXCLUSIONS IN LINCOLNSHIRE – ACTION PLAN ARISING FROM RECOMMENDATIONS

The Assistant Director for Children's Services, Meredith Teasdale, introduced the report which presented an Action Plan developed in response to the School Admissions and Exclusions Scrutiny Report, completed by the Committee in January 2013. Feedback in regard to the report was positive and included the following comments:-

- i. All recommendations had been agreed by the Executive Councillor for Children's Services and Lifelong Learning.
- ii. Recommendation number 7 was already complete and the information had been provided to the Children's Commissioner.

RESOLVED

1. That the Action Plan be AGREED.

81. INFORMATION, ADVICE AND GUIDANCE

The Assistant Director of CfBT Education Services, Keith Batty, introduced the report which set out the current situation and approach in relation to the provision of impartial careers information, advice and guidance to young people.

Feedback in regard to the report was positive and included the following comments:-

- i. Members were reminded that the report was produced prior to implementation of the new statutory framework, which made this area the sole responsibility of the schools. The Local Authority responsibility was to promote participation by all.
- ii. Support had been offered to schools, free of charge, to review their preparedness for the new legislation.
- iii. There was a statutory requirement to provide a careers service to children with Special Educational Needs which was included as part of the additional needs service.
- iv. Two Apprentice Champions had been invited into 53 schools to discuss apprenticeships.

At 12.25pm, Councillor P A Carpenter left the meeting and did not return.

- v. There appeared to be a discrepancy with the number of schools mentioned in the report, with 54 being mentioned, as it was thought there were 57 in the county. Officers agreed to clarify numbers.
- vi. Officers were congratulated on the progress made undertaking recommendation seven imaginatively and achieving what the Committee had asked.
- vii. The number of "2Unknowns" was highlighted. It was explained that in 2010/11 the local authority had decided to provide career guidance as it was not understood that tracking was a Local Authority responsibility. The Government clarified the position by issuing new guidance a year later. This

led to a high level of unknowns for a 12 month period. This performance would improve as this cohort became 18.

The Local Authority continued to support young people aged 16-18 who were NEET and to track the status of all young people in this age range so that it could respond when young people first become NEED. However, the total number of staff involved in this activity was lower than when the Local Authority was funded to provide a Connexions service. The same personnel were also available to provide a charged 'careers guidance' service to schools. At the date of the meeting, 38 secondary schools (including academies) were purchasing a service.

viii. Due to the national information sharing agreement, Jobcentre Plus was unable to share information with local authorities. This was the only way to confirm formally the status of 18 year olds. Until this issue was resolved nationally, 'unknown figures' may continue to appear artificially high.

At 12.40pm, Councillor B W Keimach left the meeting and did not return.

#### RESOLVED

1. That the endorsement of the current approach to working with schools, colleges, providers and other stakeholders to support and encourage the delivery of good quality, impartial, careers information and guidance be AGREED.
2. That the requirement for a review of the impact of the transfer of the statutory duties (to provide independent careers guidance to schools) on participation in 2014, once the first cohort affected had made the transition to post 16 be AGREED.
3. That the implementation of statutory powers to ensure adequate provision was provided be actively lobbied.

#### 82. CORPORATE PARENTING PANEL UPDATE

The Chairman presented the draft minutes of the Corporate Parenting Panel held on 17 January 2013 for the Committee's information and invited Members to make any comments.

#### RESOLVED

1. That the work of the Corporate Parenting Panel be noted.

#### 83. LINCOLNSHIRE SAFEGUARDING BOARDS SCRUTINY SUB-GROUP – UPDATE

The Chairman presented the draft minutes of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group held on 10 January 2013 for the Committee's information and invited Members to make any comments.

#### RESOLVED

1. That the draft minutes of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group meeting held on 10 January 2013 be noted.

84. CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE WORK PROGRAMME 2013

The Scrutiny Officer, Tracy Johnson, presented the Committee's work programme for 2013 and advised that no amendments had been made. This was the last meeting prior to the County Council elections and it was suggested that an additional meeting would be called should any items of urgent business arise.

RESOLVED

1. That the Work Programme be approved, subject to the inclusion of the additional items agreed in minute numbers 74, 75, 76 and 77 above.

85. CHAIRMAN'S ANNOUNCEMENT

The Chairman announced, as this was the last meeting of the Children and Young People Scrutiny Committee for the current Council term, his thanks to all the Committee members and officers for their contributions to the work of the Committee over the last four years. He felt that the task groups had worked well in the past and hoped that they would continue to do so in the future as it was, in his opinion, one of the few Council activities which worked successfully in cooperation with its' officers.

In return, the Committee thanked the Chairman for his leadership and wished him well in his future endeavours.

The meeting closed at 12.52pm

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**Open Report on behalf of Debbie Barnes, Director of Children's Services**

Report to:	<b>Children and Young People Scrutiny Committee</b>
Date:	<b>14 June 2013</b>
Subject:	<b>Proposal to expand Kirton Primary School (final decision)</b>

**Summary:**

This report invites the Children and Young People Scrutiny Committee to consider a report on the proposal to expand Kirton Primary School (final decision) which is due to be considered by the Executive Councillor for Adult Care, Health Services and Children's Services on 28 June 2013. The views of the Scrutiny Committee will be reported to the Executive Councillor as part of her consideration of this item.

**Actions Required:**

- (1) To consider the attached report and to determine whether the Committee supports the recommendation to the Executive Councillor for Adult Care, Health Services and Children's Services set out in the report.
- (2) To agree any additional comments to be passed to the Executive Councillor for Adult Care, Health Services and Children's Services in relation to this item.

**1. Background**

The Executive Councillor for Adult Care, Health Services and Children's Services is due to consider the report on the proposal to expand Kirton Primary School (final decision). The full report to the Executive Councillor is attached at Appendix 1 to this report.

**2. Conclusion**

Following consideration of the attached report, the Committee is requested to consider whether it supports the recommendation in the report and whether it wishes to make any additional comments to the Executive Councillor for Adult Care, Health Services and Children's Services. The Committee's views will be reported to the Executive Councillor.

### 3. Consultation

#### a) Policy Proofing Actions Required

Not applicable

### 4. Appendices

These are listed below and attached at the back of the report	
Appendix 1	Report and Appendices to the Executive Councillor for Adult Care, Health Services and Children's Services on Proposal to expand Kirton Primary School (final decision)

### 5. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Michelle Andrews, who can be contacted on 01522 553269 or [Michelle.andrews@lincolnshire.gov.uk](mailto:Michelle.andrews@lincolnshire.gov.uk) .



**Open Report on behalf of Debbie Barnes, Executive Director of Children's Services**

Report to:	<b>Councillor Mrs P A Bradwell, Executive Councillor for Adult Care, Health Services and Children's Services</b>
Date:	<b>28 June 2013</b>
Subject:	<b>Proposal to expand Kirton Primary School (final decision)</b>
Decision Reference:	<b>02140</b>
Key decision?	<b>Yes</b>

**Summary:**

The proposal under consideration is to expand Kirton Primary School to ensure that there are enough primary school places in Kirton to accommodate the increasing pupil numbers in the area. The proposed implementation date is 1 September 2014.

It is the Local Authority's (LA) statutory duty to ensure that there are sufficient school places to accommodate all pupils of statutory school age in Lincolnshire. The LA believes that this proposal is the best available option to address the increasing pressure on primary school places in Kirton.

The LA has co-ordinated the process following statutory guidelines (see the Department for Education (DfE) guide "Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form" in Appendix A) in accordance with the terms of the Education and Inspections Act (EIA) 2006 as updated by the Education Act 2011. Consultation commenced on 10 January 2013 with a four week period of consultation which closed on 7 February 2013 after which the decision was taken on 15 March 2013 to publish a Statutory Notice on 3 April 2013. This initiated a four week Representation Period up to 1 May 2013 when written objections and comments may be submitted. The process is now entering the final stage when the LA, as decision maker, must take the final decision regarding the proposal.

This report seeks to advise the Executive Councillor on making the final decision regarding the proposed expansion of Kirton Primary School.

**Recommendation(s):**

That following the completion of the statutory process, in accordance with current legislation, the Executive Councillor for Children's Services and Lifelong Learning is recommended to take the final decision to approve the expansion of Kirton Primary School with effect from 1 September 2014 as detailed in this report.

**Alternatives Considered:**

1. That the proposal to expand Kirton Primary School is rejected and the council retains the school as it currently is with consequently no increase in the number of school places in the area.

However, the above alternative would have the following disadvantages:

There would be insufficient available primary school places in Kirton and the LA would be unable to comply with its statutory duty within Kirton to ensure that there are sufficient school places for children of a statutory school age.

It would place increasing pressures on the primary school in Kirton and in addition at many of the primary schools in Boston and the surrounding area where the numbers on roll are already at capacity, leading to concerns over the consequent impact on the quality of education provided.

The school has already admitted above their usual intake in 2012 and the LA has asked the school to over offer again in 2013. This has been made possible by the school making maximum use of all available accommodation but without the provision of additional accommodation this may lead to either overcrowding or a mobile classroom (subject to planning approval) with insufficient infrastructure for the number of pupils being accommodated at the school.

It would likely lead to children being offered places at villages outside of Kirton, with increasing transport costs and potential increased car usage and also concerns over the impact of this additional travelling time on the children concerned.

2. That the proposal to expand Kirton Primary School is rejected and the council retains the school as it currently is but looks to increase capacity at other primary schools in the surrounding area.

Other options in this area have been explored and all primary schools have been considered for potential expansion but none have been found to be as suitable due to reasons such as undersized sites, distance that pupils would have to travel, parental preference, impact on standards and the fact that Kirton is the only primary school in the heart of the community where the children live. Kirton Primary School is the most appropriate primary school in the area for expansion and this proposal has the support of the Headteacher and Governing Body.

**Reasons for Recommendation:**

- To enable the LA to meet its statutory obligation to ensure that there are sufficient school places in Kirton for all children of statutory school age.
- To ensure that the provision of school places is planned so as to promote

high educational standards, enable fair access to educational opportunity for every child and promote the fulfilment of each child's potential. The County Council believes that this proposal reinforces the priorities in the Children and Young People's Plan (CYPP) and provides the best solution to meeting the long term educational and social needs of the children in the area to ensure that children have the best possible chance of fulfilling their potential. This proposal will both enhance the quality of local provision and sustain local provision.

- The proposal will assist in meeting parental preference. The Government has made it clear that the wishes of parents should be taken into account in planning and managing school estates. DfE guidance states that places should be allocated where parents want them and that successful and popular schools be allowed to grow.
- To avoid overcrowding as this would likely lead to a negative impact on the quality of education provided.
- To avoid increased transport costs, the negative impact of extra travelling time on children and extra car usage which would be likely to follow if it were necessary for children to take up school places in the villages outside of Kirton.
- Officers have already investigated the potential alternatives. Following consideration of the area, the existing schools and the increasing pressure on primary school places the LA considers the proposal to expand Kirton Primary School to be the best available solution to meet the needs of the children and parents of Kirton with the resources available and to address the expected shortage of primary school places in the area.

## **1. Background**

National birth rates, mostly concentrated in more urban areas, have been steadily rising in recent years. This increased birth rate, combined in some areas with inward migration and housing development, is now starting to have an impact at primary school age putting significant pressure on primary schools across the country where there is a shortage of Reception places. The Kirton community will experience a shortage of available places if capacity at the local school is not increased.

The school admitted above the usual intake of 60 to provide up to 90 Reception places for September 2012 by making maximum use of all available accommodation and remodelling existing accommodation. The LA has asked the school to over offer again up to 90 places for the Reception intake in September 2013 and additional accommodation will be provided to make this possible.

The proposal being consulted on is to permanently expand the school from the existing capacity of 420 places based on a Published Admission Number (PAN) of 60 to 630 places (PAN 90), with a proposed implementation date of September 2014. This would increase the PAN initially for the Key Stage 1 year groups from 60 to 90 with the PAN for years 3 – 6 remaining at 60. The increased intake to 90

would then be phased in with each subsequent Reception intake until the PAN of 90 applies to all year groups. This phased approach will allow the school to effectively manage staffing and teaching structures and help to ensure that pupil numbers at other local schools will be maintained.

NHS birth data for the Kirton area shows that over the next 4 years the number of children that will be requiring a primary school place is up to 30 more than it has been in recent years. There is expected to be a long term requirement for more places. A permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting 4 year old children to alternative schools outside of their local community.

The total number on roll for all children in Reception to Year 6 (aged 4 – 11 years) at the time of the census taken in January 2013 was 420. The table below shows the number currently on roll for year groups Reception to Year 6, and also shows the offers for September 2013 together with potential intake numbers for September 2014 and 2015 based on NHS GP registration data. The published admissions number per year group is currently 60 with a permanent capacity of 420:

	2015	2014	2013	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
Number on Roll	84	69	70	89	60	55	56	57	51	52	420

Data from January 2013 Census and August 2012 Projections trend analysis

The table below shows the population by school age for the parish of Kirton according to the latest NHS GP registration data. This is the natural catchment area for the school and clearly demonstrates the increase in future primary pupil numbers in the local area.

Intake Year/Current Year Group	2016 Rec' Intake	2015 Rec' Intake	2014 Rec' Intake	2013 Rec' Intake	Current Rec'	Current Y1	Current Y2	Current Y3	Current Y4	Current Y5	Current Y6
Age as at 31 August 2012	0	1	2	3	4	5	6	7	8	9	10
<b>Kirton Parish Cohort Size</b>	<b>84</b>	<b>88</b>	<b>85</b>	<b>86</b>	<b>73</b>	<b>72</b>	<b>52</b>	<b>65</b>	<b>61</b>	<b>61</b>	<b>61</b>

Data from NHS GP Registrations as at April 2013

Having additional classes and more children on roll at the school will also have financial benefits for the school. This may potentially provide the opportunity to enhance teaching provision and career opportunities for staff which in turn will benefit the learning experience of the children.

Following statutory consultation, if the expansion proposal is approved, it is proposed that building work to add necessary additional accommodation will begin during the academic year 2013/14 (subject to planning permission being granted) and planned to be completed in readiness for the start of term in September 2014. This would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible.

Please note that the planning application process is dealt with and consulted on separately and there will be opportunity for those that are interested to be involved throughout the planning process.

## **Reaching the decision – Preliminary Considerations**

The requirements for decision making relating to the expansion of maintained mainstream schools are set out in the guide “Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form” published by the DfE. A copy is attached as Appendix A.

The guide sets out certain checks that the decision maker should follow before proceeding to take a decision. These are addressed below:

- (i) Is any information missing? It is considered that there is no information missing and that the Executive Councillor has before her the information that is required to enable a decision to be reached.
- (ii) Is the proposal related to other published proposals? The answer to this is no.
- (iii) Do the published notices comply with statutory requirements and has the statutory consultation been carried out prior to the publication of the notices? The statutory notice was published in accordance with section 19(1) of the EIA 2006. Consultation must, and has, included all parties specified within the relevant sections of the EIA 2006 including children, staff, parents/carers, the Diocese and other interested parties listed in Appendix B.

## **Factors to be considered by Decision Makers**

In reaching a decision the Executive Councillor must have regard to statutory guidance issued by the Secretary of State as detailed in the attached guide in Appendix A and referred to in the following paragraphs. The Complete Proposal (attached as Appendix C) also includes information which must be considered together with feedback from consultees received throughout the entire process.

### *A System Shaped by Parents*

The Government’s aim is to create a schools system shaped by parents which delivers excellence and equity by implementing a dynamic system in which weak schools that need to be closed are closed quickly and replaced by new ones where necessary and the best schools are able to expand and spread their ethos and success.

The Executive Councillor must take into account the extent to which the proposal is consistent with the LA’s duty to respond to representations from parents about the provision of schools. There were no submissions received from parents in the Representation Period. There were 35 written valid responses received in the consultation period which **all** supported the proposal. 6 responses were submitted by parents although the largest number of consultation responses was received from staff at the school. (Summary of responses attached as Appendix D)

Kirton Primary School is a popular school which is consistently oversubscribed as indicated by the numbers of first and second preference applications received (62 in 2010, 74 in 2011, and 81 in 2012) for the 60 places available in the Reception class. 70 offers have been made for places in Reception in September 2013. The most recent Ofsted report following an inspection at the school was published in November 2009 with an overall effectiveness rating of "good". At this time parents were also asked to complete a questionnaire. The overwhelming majority of the parents who completed a questionnaire or spoke with inspectors during the inspection were very positive about the school and were happy with their child's progress and experience at the school. A subsequent interim assessment has found that the school's performance has been sustained and that the next full inspection can therefore be deferred and is not anticipated to take place any earlier than the summer term 2014.

The LA has, therefore, put forward the current proposal as the best and preferred option to meet these criteria.

### *Standards*

The Executive Councillor should be satisfied that the proposal will contribute to raising local standards of provision and will lead to improved attainment for children and young people paying particular attention to the effect on groups that under-perform with the aim of narrowing attainment gaps.

The Ofsted report, following the last full inspection in 2009, rated the "pupils' achievement and the extent to which they enjoy their learning" as "good" The report also stated that "*Pupils' achieve well. The youngest children enter the school with overall levels of attainment below that typically found. Standards in the latest national tests were below average at Year 2 but in line with national average by Year 6*"

The LA believes that this proposal is the best option to maintain and improve standards of attainment and promote the fulfilment of each child's potential.

### *Diversity*

The Government's aim is to create a more diverse school system offering excellence and choice so that every child receives an excellent education whatever their background and wherever they live. The Executive Councillor should consider how the proposal will affect local diversity taking account of the range of schools in the area and the impact on the aspirations of parents, and whether the proposal will help raise local standards and narrow attainment gaps. The LA believes that this proposal will maintain and also be likely lead to both improved standards and an enhanced quality of education for current and future children in the area whilst maintaining diversity.

### *Every Child Achieving their Potential*

The Executive Councillor should consider how the proposal will help every child and young person achieve their potential. The LA believes that the proposal will meet this criterion by not only maintaining the range of extended services, the opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs (eg looked after children or children with special educational needs and disabilities) but also by providing the platform for these to improve.

### *Equal Opportunity Issues*

The Executive Councillor should consider whether there are any sex, race or disability discrimination issues that arise out of the proposed expansion. There needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area while ensuring that such opportunities are open to all. There are no sex, race or disability discrimination issues arising from this proposal. The LA will continue to be committed to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area while ensuring that such opportunities are open to all.

### *Need for Places – Creating Additional Places and the Expansion of Successful and Popular Schools*

When considering a proposal to expand an existing school the Executive Councillor should consider whether there is a need for expansion and take care not to create unnecessary surplus capacity. As detailed above Kirton is one of the pressure points in Lincolnshire where there will be a shortage of available places if capacity is not increased. NHS birth data for the Kirton area shows that over the next four years the number of children that will be requiring a primary school place is more than the number of places currently available. There is expected to be a long term requirement for more places. This proposal is being put forward as a solution to the increasing demand for places for local children in Kirton and it is not anticipated that it will have any adverse impact on the demand for places at other primary schools which will continue to offer places for the children within their own localities.

The Government is committed to ensuring that every parent can choose an excellent school for their child and therefore the wishes of parents should be taken into account in the planning and management of school estates. There is a presumption that proposals to expand successful and popular schools should be approved and only be turned down if there is compelling objective evidence that such expansion would have a damaging effect on standards overall in the area. The LA believes that not only will there be no damaging effect on standards but that this proposal will provide the platform for standards to improve.

As detailed above the majority of parents confirmed that they were happy with their child's experience at the school and the school is popular with parents and consistently oversubscribed.

Before approving the proposal the LA must ensure that the admission arrangements of the schools will fully meet the provisions of the School Admissions Code. The proposed increase to the PAN at the school will be processed in accordance with the School Admissions Code to determine admission arrangements for the academic year commencing September 2014.

#### *Travel and Accessibility for All*

The Executive Councillor should be satisfied that facilities are accessible by being located close to those who will use them and that proposed changes do not adversely impact on disadvantaged groups. Proposals should not have the effect of unreasonably extending journey times or increasing transport costs or result in too many children being prevented from travelling sustainably due to unsuitable routes. The proposal should be considered on the basis of how it will support and contribute to the Council's duty to promote the use of sustainable travel and transport to school. If this proposal goes ahead it should reduce the likelihood of local children having to travel to schools outside of their village and therefore assist the Council to meet this duty.

The LA understands that an increase in the number of pupils attending a school may have an impact on the local road network and access. However, the majority of additional pupils are likely to come from within a suitable walking or cycling distance from the school. The LA is committed to promoting the use of sustainable travel and transport to school and this would be reflected in the implementation of the school travel plan. However, should the proposal go ahead, all traffic issues will be considered in the planning application process. As part of this process any planning queries will be dealt with through a separate planning consultation and the LA would have to meet stringent requirements at the planning application stage.

The County Council home-to-school transport policy will continue to apply – this provides free home-to-school transport for pupils to their nearest designated school (if it is more than 2 miles away for primary aged pupils) but it is expected that most pupils will live within a two mile radius of the school.

#### *Funding and Land*

For any expansion proposals the Executive Councillor should be satisfied that any land, premises or capital required to implement the proposals will be available. The project is included in the 2012/2014 Capital Programme therefore, should this proposal to expand be approved, capital investment will be provided and any revenue implications will be financed by the Dedicated Schools Grant.

The impact of an expansion proposal on a school premises must be considered in the light of the requirements of The Education (School Premises) Regulations 1999 including minimum areas of team playing fields to which the school should have access. Currently at Kirton Primary School the playing field area is already less than that recommended. However the area for the proposed new construction will not have an impact on the area available for sports activities as it is currently an



area covered by trees that have outgrown the available space. In addition the school has an existing arrangement for shared use with the local secondary school, which is a specialist Sports College, located in the same village.

### *Special Educational Needs (SEN) Provision*

The Executive Councillor should consider the impact of the proposal on the Special Educational Needs provision taking into consideration statutory guidance and be assured that the proposal is designed to improve on existing arrangements and enable all children to fulfil their potential.

The following key factors must be considered in order to meet the requirement to demonstrate likely improvements in provision:

- a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
- b) improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
- c) improved access to suitable accommodation; and
- d) improved supply of suitable places.

If the expansion proposal is approved there is likely to be no impact with regard to SEN provision other than an opportunity to improve the provision at the school during the expansion work. The LA will continue to ensure suitable provision for all children with special educational needs and consideration of their needs will take place with physical access being assured should a need be presented. The LA will continue to look to make improvements in the standard, quality and/or range of the education provision for children with SEN and so meet the Special Educational Needs Test.

### *Views of Interested Parties*

The Executive Councillor should consider the views of all those affected by, or who have an interest in, the proposal. This includes statutory objections and comments submitted during both the consultation phase and the Representation Period. The Executive Councillor should not simply take account of the numbers of people expressing a particular view when considering representations made but should give the greatest weight to representations from those stakeholders most likely to be directly affected by the proposal. All representations, especially from the direct stakeholders, must be considered by the Executive Councillor in relation to this proposal prior to the decision being taken.

All responses to the consultation period have been received and made available to the Executive Councillor (in Appendix D) and are also referred to later in the Consultation section of this report. A summary of the responses from current pupils is also attached as Appendix E. There were no responses received in the Representation Period.

## *The Decision*

In considering the proposal the Executive Councillor can

- reject the proposal
- approve the proposal
- approve the proposal with a modification (e.g. the implementation date) or
- approve the proposal subject to meeting a specific condition

It is not recommended that the Executive Councillor lays down any specific conditions and therefore the 'Alternatives Considered' section at the start of this report simply deals with the rejection or approval of the proposal.

Reasons must be given for the decision taken including the main factors and criteria whether the proposal is accepted or rejected.

## **2. Conclusion**

The final decision is required from the Executive Councillor to determine whether to approve the expansion of Kirton Primary School as detailed in this report with an implementation date of 1 September 2014. The factors to consider in making this decision are within this report and all valid written responses received during consultation must be considered (summarised in Appendices D and E).

The LA believes this proposal to be in the best interests of local children and local parents as well as educational provision in the area and it supports the council's aim of ensuring that as many children as possible can reach their full potential. It also enables the LA to fulfil its statutory duty of ensuring that there are sufficient places to accommodate all pupils of statutory school age in Lincolnshire.

It is recommended that the proposal be implemented to ensure the best educational opportunities for the children of Kirton. The advantages of implementing this proposal are detailed earlier in this report in the "Reasons for Recommendations" section.

### **3. Legal Comments:**

The legal issues to be taken into account in the making of this decision, which is within the remit of the Executive Councillor, are fully set out within the report.

**4. Resource Comments:** A decision to expand the capacity at Kirton Primary School with effect from 1 September 2014 will require funding from the 'basic need' element of the capital programme. Any on-going revenue costs will be funded from the Dedicated Schools Grant.

## 5. Consultation

In order for the school to expand the LA must follow the necessary statutory legal processes as required by the Secretary of State in accordance with the EIA 2006, the Education Act 2011 and the guidance of the DfE regarding expansion (Appendix A)

Under these guidelines the LA must ensure that sufficient time and information are provided for people to understand and form a view on the proposal and make a response. The consultation documentation must set out the problem that is being addressed and invite comment on one or more solutions. The LA must explain the decision making process and take all reasonable steps to draw the consultation to the attention of all those who might be interested and take into account their views.

The Education Act 2002 states the requirement for current pupils to be consulted and this was further extended by subsequent legislation to also include all pre-school children over the age of 3. The Headteacher arranged for consultation to take place with the children currently attending the school through the school council. This was followed up by classroom discussions in circle time. The consultation produced a very positive response and the children are generally looking forward to the expansion of the school. A summary of the consultation undertaken by the school council is attached as Appendix E. The EIA 2006 specifically includes as interested parties the registered parents of registered pupils at the school and also the appropriate District and Parish Councils for the area. The list of interested parties (Appendix B) was compiled according to statutory guidelines comprising as wide a range of consultees as practicable and including parents, the Chief Executive of the District Council, the Parish Clerk of Kirton and neighbouring Parish Councils as well as individual councillors as appropriate.

A letter, (Appendix F) incorporating relevant information and reasons for the proposal, was sent out to interested parties (Appendix B) on 10 January 2013 to commence a four week period of consultation. Individual meetings were offered to anyone interested to meet with representatives of the LA at the school to ask questions and raise any concerns but no appointments were taken up. There was the opportunity to provide a response to the consultation by letter, email or by returning the response form (Appendix G) attached to the consultation document by 7 February 2013. Copies of the letter commencing consultation and the response form were also published on the County Council website under the webpage Current Consultations on [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning)

The written responses received during consultation have been provided to the Executive Councillor for consideration and further details are confirmed in this report in Appendix D. To briefly summarise, however, there were 35 valid responses in total with **all** supporting the proposal. Out of the total of 35 the main group represented consisted of teachers and staff at the school who submitted 24 responses. The remaining 11 responses were from a wide range of consultees including governors at the school, the Headteacher of a neighbouring primary school, Kirton Parish Council, a pre-school group, a local employer and 6 from parents.

Following the completion of the consultation period all feedback was considered with a full report (which is referred to in the Background Papers section below and will also be re-considered along with this report) by the Executive Councillor and a decision was taken on 15 March to proceed to Statutory Notice. A statutory 4 week Representation Period was entered into on 3 April 2013 commencing with the publication of the Statutory Notice (Appendix H) in the local press, at the school gates and within the local community. The Complete Proposal, available in paper and electronic format (Appendix C) to which the Statutory Notice refers, was sent to interested parties as detailed in the statutory guidance and was also published on the website [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning). The Representation Period provides a further opportunity for people and organisations to express their views and ensure that they are taken into account when the final decision is taken although no responses were received. There were no responses received during the Representation Period.

Under current legislation the LA is the decision maker for the proposal and is co-ordinating the statutory process before making a decision at the end of the process in June 2013. The LA must be able to show that all relevant issues raised are taken into consideration in the decision making process. Points raised can be considered unpersuasive but must not be ignored altogether.

The last stage of the statutory process would be the implementation of the proposal with the expansion of Kirton Primary School with effect from 1 September 2014 if it is decided to proceed.

Information regarding this proposal has been updated and made available through the County Council website since official consultation began on 10 January 2013. The local and district councillors have been involved in the consultation on this proposal and the Executive Councillor for Children's Services and Lifelong Learning has been engaged throughout the entire process.

**a) Has Local Member Been Consulted?**

Yes, the local member has been made aware of the proposal to expand Kirton Primary School.

**b) Has Executive Councillor Been Consulted?**

Yes, the Executive Councillor has been involved in the discussions regarding the proposal to expand Kirton Primary school.

**c) Scrutiny Comments**

The Children and Young People Scrutiny Committee considered the expansion proposal at its meeting on 14 June 2013. Comments from this meeting are included below to inform the Executive Councillor when making her final decision which is due to be taken on 28 June 2013:-

#### **d) Policy Proofing Actions Required**

An Impact Analysis has been completed and is attached in full as Appendix I. In summary the analysis undertaken indicates that there is some potential for minor negative impact but that this is far outweighed by the benefits of the proposal. The LA would look to mitigate negative impact on the local road network and access and address any other concerns that potentially might arise out of this expansion proposal. The stringent requirements at the planning application stage would include the active involvement of the Highways Department as well as a detailed travel plan.

Apart from its obligations to consider the statutory guidance referred to the Council has obligations under the Equality Act 2010 which must be taken into account by the Executive Councillor when coming to a decision.

The Council must, in the exercise of its functions, have due regard to the need to:

(1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

(2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 s 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy & maternity; race; religion or belief; sex; sexual orientation: s 149(7).

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

The Council believes that this proposal will not lead to any discrimination and that in recommending the proposal the Council is having due regard to its obligations under The Equality Act.

#### **6. Appendices**

These are listed below and attached at the back of the report	
Appendix A	DfE guide "Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form"
Appendix B	List of Interested Parties
Appendix C	Complete Proposal
Appendix D	Summary of written consultation responses
Appendix E	Summary of pupils' consultation responses
Appendix F	Letter to commence consultation
Appendix G	Consultation response form
Appendix H	Statutory Notice
Appendix I	Impact Analysis

## 7. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Proposal to expand Kirton Primary School (decision to go to Statutory Notice)	Lincolnshire County Council Committee Records Reference 02139 15 March 2013

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# Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form

## A Guide for Local Authorities and Governing Bodies

For further information:

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Last updated 1 February 2010

# EXPANDING A MAINTAINED MAINSTREAM SCHOOL BY ENLARGING OR ADDING A SIXTH FORM - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

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## INTRODUCTION

### **EXPANDING A MAINTAINED MAINSTREAM SCHOOL BY ENLARGING OR ADDING A SIXTH FORM - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES**

**(Covering Enlarging a School and Adding a Sixth Form, also known as 'excepted expansions')**

#### **Introduction (Paragraphs 1-25)**

1. This guide provides information on the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment)(England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance (Amendment)(England) Regulations 2009 which came into force on 1 September 2009). For your convenience, a consolidated version of the Prescribed Alteration Regulations and the two sets of Amending Regulations can be found at: [www.dcsf.gov.uk/schoolorg/guidance.cfm?id=29](http://www.dcsf.gov.uk/schoolorg/guidance.cfm?id=29). The relevant provisions of the EIA 2006 came into effect on 25 May 2007.

2. This guide contains both statutory guidance (i.e. guidance to which local authorities (LAs) and governing bodies have a statutory duty to have regard) and non-statutory guidance, on the process for "expanding" a school. Throughout this guide any reference to "expand" (i.e. or "expanding"/ "expansion"/"excepted expansion") covers the following "prescribed alterations":

- Enlargement to premises - enlarging the physical capacity of a school; and
- Alteration of upper age limit - raising the school's upper age limit to add a sixth form.

NOTE: For more detailed information on when proposals are required and why 'Increase in number of pupils' (increasing a school's admission number by 27 or more pupils) no longer falls under School Organisation regulations, see paragraphs 11 to 17 below.

Although both "Enlargement" and "Adding a sixth Form" are prescribed alterations, they are dealt with separately from other prescribed alterations, because there are significant differences e.g. who can publish the proposals, the length of the representation period and who can appeal to the schools adjudicator.

Altering the upper age range of a school, other than to add a sixth form e.g. lowering the upper age to remove a sixth form, changing from an infant to a primary school (from 3/5-7 to 3/5-11), or raising the upper age of a middle deemed secondary, also fall under "Alteration of upper age limit" within

## INTRODUCTION

Regulations, but are dealt with in “Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)” - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)

The statutory guidance sections are indicated by shading, the word **must** in bold refers to a requirement in legislation, whilst the word **should** in bold is a recommendation.

3. If you have any comments on the content or layout of this guide, please send these to the School Choice & Operations Team at: [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk) making sure that you identify the title of the guide and quote the page and paragraph numbers where relevant.

### Who is this Guide for? (Paragraphs 4-5)

4. This guide is for those considering publishing proposals to expand a school under section 19 of EIA 2006, referred to as “proposers” (i.e. the LA or the governing body), those deciding proposals, referred to as the “Decision Maker” (i.e. the LA or the schools adjudicator) and also for information for those affected by proposals for the expansion of a school.

5. Separate guides are available from the School Organisation website for:

- Becoming a Foundation or “Trust” school (changing category to foundation; a foundation school acquiring a foundation (i.e. a Trust); a Trust school acquiring a majority of foundation governors on the governing body) – “Changing School Category to Foundation” and “Trust School Proposals” - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)
- Opening a new school – “Establishing a new maintained mainstream school” - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation);
- Ceasing to maintain a school – “Closing a Maintained Mainstream School” - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation); and
- Making other prescribed alterations to a maintained school (e.g. change of age range other than adding a sixth form, add SEN, transfer of site) – “Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)” - [www.education.gov.uk/schools/leadership/schoolorganisation..](http://www.education.gov.uk/schools/leadership/schoolorganisation..)

## INTRODUCTION

### School Organisation Planning Requirements (Paragraphs 6-8)

6. LAs are under a **statutory duty** to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They **must** also ensure that there are sufficient schools in their area, promote diversity and increase parental choice.

7. Parents can make representations about the supply of school places and LAs have a **statutory duty** to respond to these representations. Further statutory guidance on this duty is available in "Duty to Respond to Parental Representations about the Provision of Schools" which is on the School Organisation website at: [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)

8. Currently, LAs **must** publish a Children and Young People's Plan (CYPP) as the single strategic overarching plan for all services affecting children and young people which also includes reference to strategic planning for school places. It is for LAs, in partnership with other stakeholders, to plan for the provision of places. LAs **should** also explore the scope for collaborating with neighbouring authorities when planning the provision of schools. In particular, LAs are encouraged to work together to consider how to meet the needs of parents seeking a particular type of school for their children in cases where there is insufficient demand for such a school within the area of an individual LA.

Responsibility for CYPPs is passing to The Children's Trust Board for each area and from 1 April 2011 each will be required to have a new 'jointly owned' CYPP in place.

Children's Trusts are the sum total of co-operation arrangements and partnerships between organisations with a role in improving outcomes for children and young people in each area. The Trust is not in itself a separate legal entity; each partner retains its own functions and responsibilities within the partnership framework. However, the Apprenticeships, Skills, Children and Learning Act 2009 strengthens Children's Trusts by requiring all local authorities to have a Children's Trust Board in place by April 2010. It also extends the number of statutory "relevant partners" who will be represented on the Board to include schools (including Academies), colleges, Job Centre Plus and the management committees of short stay schools (formerly PRUs).

In each local authority area the Children's Trust Board will be responsible for preparing and monitoring the implementation of the CYPP. This will give ownership of the plan to the partnership – whereas at present the CYPP is the responsibility of the local authority alone.

## INTRODUCTION

### **The Secretary of State's Role** (Paragraphs 9-10)

9. The Secretary of State has the power to issue guidance to which the Decision Maker **must** have regard when deciding proposals. This should ensure that proposals and consultation responses and representations received from stakeholders are considered in a consistent way and that Ministers' key priorities for raising standards and transforming education are taken into account when decisions are taken. When drawing up their proposals, proposers are strongly advised to look at the factors which the Decision Maker **must** take into account when considering their proposals (see [Stage 4](#)).

10. The Secretary of State does not decide statutory proposals relating to schools, except where proposals have been published by the Learning and Skills Council (LSC)<sup>1</sup> under Section 113A of the Learning and Skills Act 2000 (as inserted by Section 72 of the Education Act 2002), for changes to 16-19 provision in schools.

### **When are expansion proposals required?** (Paragraphs 11-17)

11. Schedules 2 and 4 of The School Organisation (Prescribed Alterations to maintained Schools)(England) Regulations 2007 (as amended) set out the alterations that can be made by governing bodies and LAs. The following sets out the changes covered by this guide:

#### Enlargement to premises

12. Statutory proposals are required for a proposed enlargement of the premises of the school which would increase the capacity of the school by **both**:-

- a. more than 30 pupils; **and**
- b. by 25% or 200 pupils (whichever is the lesser).

The capacity of the school is the number of pupil places it can accommodate; it is the responsibility of the LA to assess the net capacity of all maintained mainstream schools in the Authority. The guidance document "Assessing the Net Capacity of Schools" .

Examples of when you would and would not need to publish 'enlargement' proposals are as follows:

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<sup>1</sup> References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

## INTRODUCTION

If you are increasing a 750 net capacity secondary school (5 form of entry - 30 pupils per class, 5 classes per year group, 5 year groups) by 1 form of entry (30x5=150 pupils) = an increase to a net capacity of 900 pupils. **No** proposals would be required, as although the increase is by 'more than 30' pupils, it is less than '200', and also less than '25%' of the current capacity (i.e. by less than 187).

You could increase a 50 net capacity rural primary school by up to 29 pupils **without** having to publish statutory proposals, because although it is by more than '25%' (12), it is still less than 30.

If you were adding 300 places to a school, it is **both** 'more than 30' **and** '200' (it may or may not be more than '25%'), so you **would** need to follow the statutory process to enlarge the school.

If you had a 1 form of entry primary (30x7=210) and increased it by 105 to 1.5 forms of entry (45x7=315), that **is** 'more than 30', less than '200', but **more than** '25%' (52), so again, the statutory process **would** need to be followed to enlarge the school.

13. Proposals may be required for some cumulative expansions and you **must** therefore look back and take into account any other enlargements that were made without the need for statutory proposals. You **must** therefore:-

- add any enlargements made:-
  - o in the 5 year period that precedes the proposed expansion date; or
  - o since the last approved statutory proposal to enlarge the school (within this 5 year period).
- exclude any temporary enlargements (i.e. where the enlargement was in place for less than 3 years); and
- add the making permanent of any temporary enlargement.

This is to ensure that 'creeping enlargements' trigger the statutory process to be undertaken if a school's capacity has previously been enlarged, but not significantly enough to require statutory proposals to be published, but when looking back up to 5 years, the latest enlargement (which may in itself be less than 30 pupils and/or by less than 200 pupils or 25%) does trigger the requirement to publish proposals e.g. a primary school with one form of entry slowly increases its capacity:

2006 – school's capacity was 210 (30x7)

2007 – school's capacity was increased to 245 (35x7) – this is an increase of

## INTRODUCTION

'more than 30', but less than '25%' (52 pupils), so no proposals were required.

2010 – the school's capacity is to be increased by a further 35 pupils (5 per year group), to 280 (40x7) – if you only looked back to 2007, no proposals would be published, as although it is an increase of 'more than 30', it is less than '25%' (61 pupils) of the school's current 245 capacity. However, looking back 5 years, it is clear that in effect, the school's capacity would have increased by 70 pupils, and therefore the statutory process **must** now be followed.

This ensures that schools wishing to enlarge significantly (whether that be in one go or over a period of 5 years), can only do so after following the statutory process, which includes consulting with anybody that may be affected by the proposals (parents, pupils, local schools etc.).

Where the proposed enlargement proposal will be dependent upon an increase in the school's admission number being agreed (see paragraph 15 below), the enlargement proposal **should** be approved conditionally upon the decision of the schools adjudicator to approve any related change in admission numbers (see paragraph 4.75 (g)).

### Alteration of upper age limit – Addition of a sixth form

(This is not about raising the school leaving age. From 2013 all young people will be required to continue in some form of education or training post-16. We are increasing the minimum age at which young people can leave learning in two stages, to the end of the academic year in which they turn 17 from 2013 and until their 18th birthday from 2015.)

14. **For proposers (LAs and governing bodies) other than governing bodies of community schools**, statutory proposals are required for the alteration of the upper age limit (the highest age of pupils for whom education is normally provided at the school) by a year or more, to provide a new sixth form except where:

- the school is to provide education for pupils over compulsory school age who are repeating a course of education completed before they reach compulsory school age (e.g. re-sitting GCSEs);
- the school is to provide part-time further education for pupils aged over compulsory school age, or full-time further education for persons aged 19 or over (i.e. under section 80(1) of SSFA 1998); or
- the alteration is a temporary one which will be in place for no more than 2 years.

15. **For governing bodies of community schools**, statutory proposals are required for the alteration of the upper age limit (the highest age of pupils for whom education is normally provided at the school) so as to provide sixth form

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education except where:

- the school is to provide part-time further education for pupils aged over compulsory school age, or full-time further education for persons aged 19 or over (i.e. under section 80(1) of SSFA 1998).

NOTE: You would need to publish 'addition of a sixth form' proposals if you were changing the upper age range of a school from 16 to 18/19, however, if you were adding a 200 place sixth form to a school, it is **both** more than 30 **and** 200 or more pupils, so you would **also** need to follow the statutory process to enlarge the school.

If you are changing the upper age range of the school in addition to adding a sixth form e.g. changing the age range of a middle deemed secondary school from 8-13 to 11-18, you **should** also refer to the "Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)" - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation) – guidance, which covers changing the age range of a school other than by adding a sixth form.

### Increase in number of pupils (now falls under the School Admissions Code)

16. The School Organisation and Governance (Amendment) (England) Regulations 2009, which came into force on 1 September 2009, remove the statutory requirement to publish proposals under school organisation legislation when increasing the number of pupils in any relevant age group<sup>2</sup> to be admitted to a maintained mainstream school by 27 or more, although any corresponding enlargement to the school premises may of course require statutory proposals (see paragraphs 12 and 13 above). Any proposed increase in the admission number **must** now be processed in accordance with the School Admissions Code. Any relevant statutory proposals that were published prior to 1 September 2009 **should** be concluded under the previous statutory process arrangements.

17. Sections 1.20 and 1.21 of The School Admissions Code - explain that if an admission authority wishes to increase a school's published admission number (PAN), they can propose to do so during the consultation and determination of admission arrangements for all schools in the area, or, if it is after the admission arrangements have been determined, as a result of a major change in circumstance, they **must** refer a variation to the Schools Adjudicator.

### **Overview of Process (Paragraph 18)**

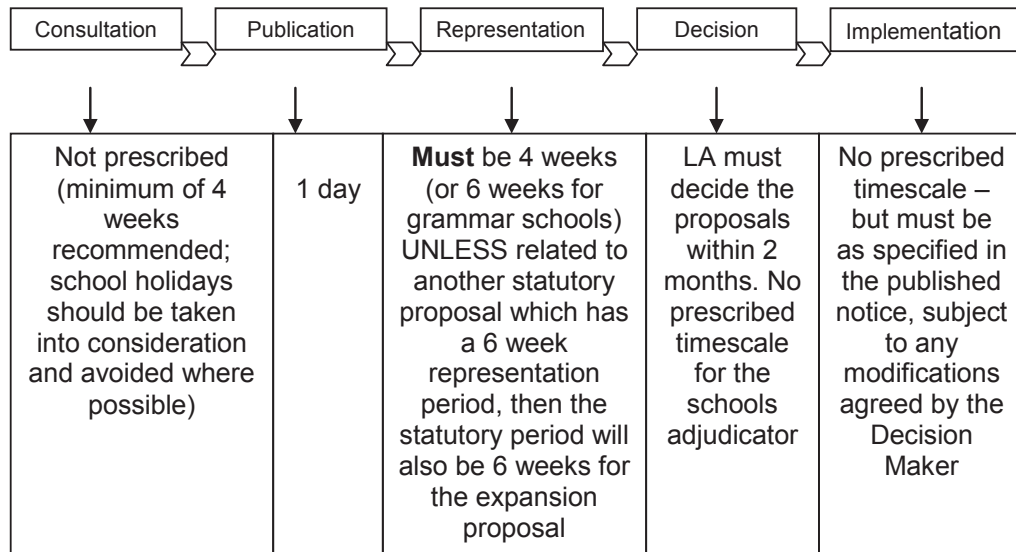
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<sup>2</sup> A "relevant age group" is defined in law as "an age group in which pupils are or will normally be admitted" to the school in question (section 142 of the School Standards and Framework Act 1998). It may be necessary for a school to have more than one admission number eg. where a secondary school operates a sixth form and admits children from other schools at age 16, an admission number will be required for Year 12 as well as for the main year or years in which children join the lower school, e.g. Year 7.



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18. There are 5 statutory stages for a statutory proposal for an excepted expansion:



### Who Can Make Proposals to Expand a School? (Paragraph 19)

19. An LA can publish proposals to expand any category (community, voluntary aided, voluntary controlled, foundation (including Trust), community special and foundation special) of maintained school. The governing body of a maintained school may also publish proposals to expand their own school.

### Where to Start? (Paragraph 20)

20. Before commencing formal consultation, the LA or governing body **should** ensure they understand the statutory process that **must** be followed, the factors that are likely to be considered by the Decision Maker and that they have a sufficiently strong case and supporting evidence for their proposals. Published proposals cannot be considered unless the capital funding for their implementation is in place (perhaps conditionally on the proposals being agreed). See 21 below.

### Capital Funding (Paragraphs 21-24)

21. Where proposals require capital resources for their implementation the funding for the proposals **should** be in place when the proposals are decided (see paragraph 4.57 of the decision maker’s guidance section. Where proposers require capital funding to implement their proposals, they **should** secure this before publishing proposals. For the provision of additional sixth form places, the local LSC **should** be contacted for information on the 16-19 capital fund which it

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currently administers<sup>3</sup>.

22. In accordance with the Government's position that there **should** be no increase in academic selection, the expansion of grammar schools, and selective places at partially selective schools, are excluded from any capital incentive schemes.

### Other expansions

23. All LAs are allocated capital funding over each spending review period to support their investment in school buildings. Where an LA identifies the need to make changes to local school provision, as part of a Building Schools for the Future (BSF) project, the funding will be provided through the BSF programme. Details of capital funding for the project in respect of all schools will be decided in discussions between the LA, the Department and Partnerships for Schools and will be included in the Final Business Case which the Department agrees. This may include the contribution by the LA (or schools or other stakeholders such as dioceses) to BSF funding of receipts from land made available through school reorganisation. For voluntary aided schools, government funding will normally be at 100% of the approved capital costs.

24. Where capital work is proposed for a community, foundation (including Trust) or voluntary controlled school other than as part of BSF, the proposers **should** secure a capital allocation from the LA. The LA **should** consider how they can prioritise this need in their asset management planning for the formulaic capital funding they receive, and for other resources which are available to them. Similarly proposers in respect of voluntary aided schools will need to get a commitment of grant through the LA, with the rate of grant support normally being 90% of the expenditure. The governing body will be responsible for funding the remaining 10% (unless an LA uses its power to assist).

### **Amalgamations/Mergers** (Paragraph 25)

25. There are two ways to 'merge' or 'amalgamate' two or more existing schools:

a. The LA or GB (depending on school category) can publish proposals to close two (or more) schools and the LA or a proposer other than the LA (e.g. Diocese, faith or parent group, Trust) depending on category, can publish proposals to open a new school, either through a competition (under section 7 of EIA 2006), or after receiving exemption from the Secretary of State\* (under section 10 of the EIA 2006). This results in a new school number being issued for the new school.

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<sup>3</sup> The 16-19 capital fund for 2010-11 is currently under review to ensure best use of funds in the light of current and future demand on the fund.

## INTRODUCTION

b. The LA and/or GB (depending on school category) can publish proposals to close one school (or more) and proposals to enlarge/change the age range/transfer site etc of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its education phase has changed.

\*All section 10 exemption applications are considered on their individual merits. However there is a 'presumption for approval' for infant/junior amalgamations, faith school reorganisations and new schools proposed by proposers other than the LA, because Ministers have indicated, during debates in Parliament, that they may be prepared to give consent to requests under these criteria, for publication of proposals without holding a competition. See Section B of the “Establishing a Maintained Mainstream School” guide for further information ([www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)).

## STAGE 1 - CONSULTATION

### Stage 1 – Consultation (Paragraphs 1.1-1.7)

1.1 The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (“the Regulations”) (as amended) provide that those bringing forward statutory proposals to expand a school **must** consult interested parties, and in doing so **must** have regard to the Secretary of State’s guidance. The statutory guidance for this purpose is contained in paragraphs 1.2 to 1.4 below. Where an LA or governing body carries out any preliminary (informal) consultation to consider a range of options, and/or principles, for a possible reorganisation, this would not be regarded as the statutory (formal) period of consultation as required by regulations. The statutory consultation would need to cover the specific expansion of the school in question.

1.2 The Secretary of State requires those bringing forward proposals to consult all interested parties (see paragraph 1.3 below). In doing so they **should**:

- allow adequate time;
- provide sufficient information for those being consulted to form a considered view on the matters on which they are being consulted;
- make clear how their views can be made known; and
- be able to demonstrate how they have taken into account the views expressed during consultation in reaching any subsequent decision as to the publication of proposals.

1.3 The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) require proposers to consult the following interested parties:

- the governing body of any school which is the subject of proposals (if the LA are publishing proposals);
- the LA that maintains the school (if the governing body is publishing the proposals);
- families of pupils, teachers and other staff at the school;
- any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils;
- the governing bodies, teachers and other staff of any other school that may be affected;

## STAGE 1 - CONSULTATION

- families of any pupils at any other school who may be affected by the proposals including where appropriate families of pupils at feeder primary schools;
- any trade unions who represent staff at the school; and representatives of any trade union of any other staff at schools who may be affected by the proposals;
- (if proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school;
- the trustees of the school (if any);
- (if the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council (LSC);
- MPs whose constituencies include the schools that are the subject of the proposals or whose constituents are likely to be affected by the proposals;
- the local district or parish council where the school that is the subject of the proposals is situated;
- any other interested party, for example, the Early Years Development and Childcare Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises; and
- such other persons as appear to the proposers to be appropriate.

1.4 Under Section 176 of the Education Act 2002 LAs and governing bodies are also under a duty to consult pupils on any proposed changes to local school organisation that may affect them.

### **Conduct of Consultation** (Paragraphs 1.5-1.7)

1.5 **How** statutory consultation is carried out is not prescribed in regulations and it is for the proposers to determine the nature of the consultation including, for example, whether to hold public meetings. Although regulations do not specify the consultation's duration, the Department strongly advises that the proposers **should** allow at least 4 weeks for consultation on enlargement proposals. This will allow consultees an opportunity to consider what is being proposed and to submit their comments. Proposers **should** avoid consulting on proposals during school holidays, where possible.

## STAGE 1 - CONSULTATION

1.6 At the end of the consultation the proposer **should** consider the views expressed during that period before reaching any final decision on whether to publish statutory proposals. Where, in the course of consultation, a new option emerges which the proposer wishes to consider, it will probably be appropriate to consult afresh on this option before proceeding to publish statutory notices.

1.7 If the need for the enlargement or sixth form arises from an area wide reorganisation e.g. as a result of long-term LA planning, any related proposals **should** be consulted on at the same time. Notices for related proposals **should** be published at the same time and specified as “related” so that they are decided together (see paragraph 2.5 ).

Remember:

<b>Do</b>	<b>Don't</b>
Consult all interested parties	Consult during school holidays (where possible)
Provide sufficient time and sufficient information	Use language which could be misleading, e.g. We <u>will</u> expand the school – instead, use ‘propose to’.
Think about the most appropriate consultation method	
Consider feedback and views	
Consider alternative options	
Explain the decision making process	

## STAGE 2 - PUBLICATION

### Stage 2 – Publication (Paragraphs 2.1-2.11)

2.1 LAs can publish expansion proposals for any category of maintained school within the LA. Governing bodies of any category of maintained school can publish proposals to expand their own school. Proposals **should** be published within a reasonable timeframe following consultation so that the proposals are informed by up-to-date feedback. Proposals **should** therefore be published within 12 months of consultation being concluded.

2.2 Proposals **must** contain the information specified in The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended). The regulations specify that part of the information (as set out in Regulation 28, Part 2 of Schedules 3 and 5), is published in a statutory notice (see paragraphs 2.3-2.4 below), and the complete proposal (as set out in Part 1 of Schedules 3 and 5), **must** be sent to a range of copy recipients (see paragraphs 2.9-2.10). [Annex A](#) can be used to prepare the complete proposal; the notice builder tool (see paragraph 2.4) can be used to prepare the draft statutory notice.

2.3 A statutory notice containing specified information (as set out in Regulation 28, Part 2 of Schedules 3 and 5) **must** be published in a local newspaper, and also posted at the main entrance to the school (or all the entrances if there is more than one) and at some other conspicuous place in the area served by the school (e.g. the local library, community centre or post office etc). The 'date of publication' is regarded as being the date on which the last of the above conditions is met. Proposers may circulate a notice more widely in order to ensure that all those substantially affected have the opportunity to comment.

NOTE: When publishing a statutory notice to add a sixth form, when completing the section on admission numbers, it may be necessary for a school to have more than one admission number e.g. where a secondary school operates a sixth form and admits children from other schools at age 16, an admission number will be required for Year 12 as well as for the main year or years in which children join the lower school, e.g. Year 7.

Paragraph 1.43 of the School Admissions Code states that an admission number need only be set for a school sixth form when it is a normal point of entry to the school i.e. the school sets out to admit external candidates to its sixth form, rather than just deal with ad-hoc applications. The published admission number **must** relate only to those being admitted to the school for the first time, and should be based on an estimate of the minimum number of external candidates likely to be admitted, although it would be acceptable to exceed this if demand for available courses can be met.

This means that the admission numbers must not include children transferring from earlier age groups, e.g. if a school has an admission number of 120, of

## STAGE 2 - PUBLICATION

which the majority are expected to continue on into the sixth form, but the sixth form will cater for 150 in Year 12, the admission number for Year 12 would be 30. If all 120 pupils from Year 11 do not continue into the sixth form, the school can accept applications over the 30, from external applicants, to fill the available spaces.

2.4 To help proposers prepare their statutory notice, the School Organisation website includes an online Notice Builder tool which will help ensure that the statutory notice complies with the Regulations and offers an opportunity for the notice to be checked by the School Organisation & Competitions Unit of the DCSF. Proposers are strongly advised to use this facility. The Notice Builder can be found at [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation). To gain access the proposer needs to register for the “Members’ Area” on the website but this is free of charge. A template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in “Standard Forms” in the Members’ Area of the website.

### **Related Proposals** (Paragraph 2.5)

2.5 Where proposals are interdependent (linked) they **should** be identified as “related”, either by being published in a single notice or the link to the other proposals made clear in each notice. Where proposals by the LA are “related” to proposals by governing bodies or other proposers (e.g. where an entire area is to be reorganised) the LA and governors or proposers may publish a single notice but this **must** make it clear who is making which proposals, under their respective powers, and there **should** be separate signatures for each relevant section. Where proposals are not “related”, they **should not** be published on the same notice unless the notice makes it very clear that the proposals are not “related”.

### **Implementation date** (Paragraph 2.6)

2.6 There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation but circumstances may change significantly if too long a period elapses. In general, therefore - with the possible exception of BSF or major authority-wide reorganisation proposals which may have to be phased in over a long period – the implementation date for the proposals (stated in the statutory notice) **should** be within 3 years of their publication. Proposers may be expected to show good reason if they propose a longer timescale. If the proposals are approved, they **must** then be implemented by the proposed implementation date, subject to any modifications made by the Decision Maker.

### **Explanatory Note** (Paragraph 2.7)

2.7 If the full effect of the proposals is not apparent to the general public from



## STAGE 2 - PUBLICATION

the statutory notice, it may be supplemented by an explanatory note or background statement, but this **should** be clearly distinguishable from the formal proposals as it does not form a statutory part of the notice. Ideally, whilst complying with regulations, the statutory notice **should** be as concise as possible, so that it is easily understood (this will also help keep publication costs to a minimum), with more detailed information contained in the complete proposal.

### **Invalid Notice** (Paragraph 2.8)

2.8 Where a published notice has not been properly formulated in accordance with the regulations, the notice may be judged invalid and therefore ineligible to be determined by the LA or schools adjudicator. In these circumstances the proposer **should** publish a revised notice making it clear that this replaces the first notice and that the statutory period for representations will run from the publication date of the revised notice (and whether or not any representations already received will still be considered by the Decision Maker). If the issue is very minor, e.g. a typo, a published addendum may suffice, in which case, the representation period would not need to change.

### **Who must be sent copies of proposals?** (Paragraphs 2.9-2.10)

2.9 The proposer **must, within one week of the date of publication**, send a full copy of the complete proposal, to:

- the LA (if the governing body published the proposals);
- the school's governing body (if the LA published the proposals);
- and

**within one week of the receipt of the request**, send a full copy of the complete proposal, to:

- any person who requests a copy; and

if the notice includes "related" proposed school closures, **on the date of publication**:

- if the governing body are the proposers of the school closure(s), they **must** submit a copy of their complete proposal to the LA that maintains the school (it would also be helpful to submit a copy of the statutory notice);
- if the LA are the proposers of the school closure(s), they **must** submit a copy of their complete proposal to the governing body of the school proposed for closure (it would also be helpful to submit a copy of the statutory notice).

## STAGE 2 - PUBLICATION

2.10 The proposers **must** also send to the Secretary of State (i.e. to SOCU, DCSF, Mowden Hall, Darlington DL3 9BG or via email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk) ) **within a week of publication:**

- a complete copy of the proposal, excluding all documentation relating to the consultation; and
- a copy of the statutory notice that appeared in the local newspaper, showing the date of publication.

### **Compulsory Purchase Orders** (Paragraph 2.11)

2.11 Where an LA needs to acquire land compulsorily in conjunction with any statutory proposals, the LA **should not** make the compulsory purchase order until proposals have been approved conditionally on the acquisition of the site. The Secretary of State will not consider confirming and sealing an order until proposals have been approved.

## STAGE 3 - REPRESENTATIONS

### **Stage 3 – Representations** (Paragraphs 3.1-3.2)

3.1 Once proposals are published there follows a statutory representation period during which comments on the proposals can be made. These **must** be sent to the LA. Any person can submit representations, which can be objections as well as expressions of support for the proposals. The representation period is the final opportunity for people and organisations to express their views about the proposals and ensure that they will be taken into account by the Decision Maker.

3.2 The representation period is specified in legislation and **must not** be altered e.g. cannot be shortened or extended to fit in with scheduled meetings or to take into account school holidays – meetings will need to be rescheduled and every effort **should** be made to advise stakeholders during the consultation period when the notice is likely to be published. The representation period for statutory notices for enlargements and the addition of a sixth form is prescribed as **4** weeks **except** where:

a. the proposal is “related” to another proposal which has a 6 week representation period, then the excepted expansion proposal **must** also have a **6** week representation period (this is a change introduced by the 2009 Amendment Regulations); or

b. the proposed change is to a grammar school, where the representation period **must** be **6** weeks.

## STAGE 4 - DECISION

### **Stage 4 – Decision** (Paragraphs 4.1-4.80)

#### **Who Will Decide the Proposals?** (Paragraphs 4.1-4.4)

4.1 Decisions on school organisation proposals are taken by the LA or by the schools adjudicator. In this chapter both are covered by the form of words “Decision Maker” which applies equally to both.

4.2 Section 21 of the EIA 2006 provides for regulations to set out who **must** decide proposals for any prescribed alterations (i.e. including expansions). The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (SI:2007 No. 1289) (as amended) make detailed provision for the consideration of prescribed alteration proposals (see in particular Schedules 3 and 5). Decisions on expansions will be taken by the LA with some rights of appeal to the schools adjudicator. Only if the prescribed alteration proposals are “related” to other proposals that fall to be decided by the schools adjudicator, will the LA not be the decision maker in the first instance.

4.3 If the LA fail to decide proposals within 2 months of the end of the representation period the LA **must** forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They **must** forward the proposals within one week from the end of the 2 month period.

4.4 The Department does not prescribe the process by which an LA carries out their decision-making function (e.g. full Cabinet or delegation to Cabinet member or officials). This is a matter for the LA to determine but the requirement to have regard to statutory guidance (see paragraph 4.15 below) applies equally to the body or individual that takes the decision.

#### **Who Can Appeal Against an LA Decision?** (Paragraphs 4.5-4.6)

4.5 The following bodies may appeal against an LA decision on school expansion proposals:

- the local Church of England diocese;
- the bishop of the local Roman Catholic diocese;
- the LSC where the school provides education for pupils aged 14 and over;
- the governing body of a community school that is proposed for expansion; and
- the governors and trustees of a foundation (including Trust) or voluntary school that is proposed for expansion.

## STAGE 4 - DECISION

4.6 Any appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals, and the representations received (together with any comments made on these representations by the proposers), to the schools adjudicator within 1 week of the receipt of the appeal. The LA **should** also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

### **Checks on Receipt of Statutory Proposals** (Paragraph 4.7)

4.7 There are 4 key issues which the Decision Maker **should** consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker **should** write immediately to the proposer specifying a date by which the information **should** be provided;
- Does the published notice comply with statutory requirements? (see paragraph 4.8 below);
- Has the statutory consultation been carried out prior to the publication of the notice? (see paragraph 4.9 below);
- Are the proposals "related" to other published proposals? (see paragraphs 4.10 to 4.14 below).

### **Does the Published Notice Comply with Statutory Requirements?** (Paragraph 4.8)

4.8 The Decision Maker **should** consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements - as set out in The School Organisation (Prescribed Alterations)(England) Regulations 2007 (SI:2007 - 1289) (as amended) - it may be judged invalid and the Decision Maker **should** consider whether they can decide the proposals.

### **Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice?** (Paragraph 4.9)

4.9 Details of the consultation **must** be included in the proposals. The Decision Maker **should** be satisfied that the consultation meets statutory requirements (see Stage 1 paragraphs [1.2](#)–1.4). If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and needs to consider whether they can decide the proposals. Alternatively the Decision

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Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

### **Are the Proposals Related to Other Published Proposals?** (Paragraphs 4.10-4.14)

4.10 Paragraph 35 of Schedule 3, and Paragraph 35 of Schedule 5, to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) provides that any proposals that are “related” to particular proposals (e.g. for a new school; school closure; prescribed alterations to existing schools i.e. change of age range, acquisition of a Trust, addition of boarding, etc; or proposals by the LSC to deal with inadequate 16-19 provision) **must** be considered together. This does not include proposals that fall outside of School Organisation Prescribed Alteration or Establishment and Discontinuance regulations e.g. removal of a Trust, opening of an Academy, federation proposals. Paragraphs 4.11-4.14 provide statutory guidance on whether proposals **should** be regarded as “related”.

4.11 Generally, proposals **should** be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals **should** be regarded as “related” if the notice makes a reference to a link to other proposals (published under School Organisation and Trust regulations). If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals **should** be regarded as “related”.

4.12 Where proposals are “related”, the decisions **should** be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both **should** be approved or rejected.

4.13 Where proposals for an expansion of a school are “related” to proposals published by the local LSC<sup>4</sup> which are to be decided by the Secretary of State, the Decision Maker **must** defer taking a decision until the Secretary of State has taken a decision on the LSC proposals. This applies where the proposals before the Decision Maker concern:

- the school that is the subject of the LSC proposals;
- any other secondary school, maintained by the same LA that maintains a school that is the subject of the LSC proposals; or

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<sup>4</sup> References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

## STAGE 4 - DECISION

- any other secondary school in the same LA area as any FE college which is the subject of the LSC proposals.

4.14 The proposals will be regarded as “related” if their implementation would prevent or undermine effective implementation of the LSC proposals.

### **Statutory Guidance – Factors to be Considered by Decision Makers** (Paragraphs 4.15-4.16)

4.15 Regulation 8 of The Regulations provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on proposals. Paragraphs 4.17 to 4.73 below contain the statutory guidance.

4.16 The following factors **should not** be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals **should** be considered on their individual merits.

### **EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT**

#### **A System Shaped by Parents** (Paragraphs 4.17-4.18)

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper Higher Standards, Better Schools For All, is to create a schools system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and
- the best schools are able to expand and spread their ethos and success.

4.18 The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker **should** take into account the extent to which the proposals are consistent with the new duties on LAs.

## STAGE 4 - DECISION

### **Standards** (Paragraphs 4.19-4.20)

4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers **should** be satisfied that proposals for a school expansion will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They **should** pay particular attention to the effects on groups 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.

### **Diversity** (Paragraphs 4.21-4.23)

4.21 Decision Makers **should** be satisfied that when proposals lead to children (who attend provision recognised by the LA as being reserved for pupils with special educational needs) being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.69-4.72).

4.22 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.

4.23 Decision Makers **should** consider how proposals will contribute to local diversity. They **should** consider the range of schools in the relevant area of the LA and whether the expansion of the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.

### **Every Child Matters** (Paragraph 4.24)

4.24 The Decision Maker **should** consider how proposals will help every child and young person achieve their potential in accordance with "Every Child Matters" principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This **should** include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.



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### SCHOOL CHARACTERISTICS

#### Boarding Provision (Paragraphs 4.25-4.26)

4.25 In making a decision on proposals that include the expansion of boarding provision, the Decision Maker **should** consider whether or not there would be a detrimental effect on the sustainability of boarding at another state maintained boarding school within one hour's travelling distance of the proposed school.

4.26 In making a decision on proposals for expansion of boarding places the Decision Maker **should** consider:-

- a. the extent to which boarding places are over subscribed at the school and any state maintained boarding school within an hour's travelling distance of the school at which the expansion is proposed;
- b. the extent to which the accommodation at the school can provide additional boarding places;
- c. any recommendations made in the previous CSCI/Ofsted reports which would suggest that existing boarding provision in the school failed significantly to meet the National Minimum Standards for Boarding Schools;
- d. the extent to which the school has made appropriate provision to admit other categories of pupils other than those for which it currently caters (e.g. taking pupils of the opposite sex or sixth formers) if they form part of the expansion;
- e. any impact of the expansion on the continuity of education of boarders currently in the school;
- f. the extent to which the expansion of boarding places will help placements of pupils with an identified boarding need; and
- g. the impact of the expansion on a state maintained boarding school within one hour's travelling distance from the school which may be undersubscribed.

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### **Equal Opportunity Issues** (Paragraphs 4.27)

4.27 The Decision Maker **should** consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example, that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

### **NEED FOR PLACES**

#### **Creating Additional Places** (Paragraphs 4.28-4.30)

4.28 The Decision Maker **should** consider whether there is a need for the expansion and **should** consider the evidence presented for the expansion such as planned housing development or demand for provision. The Decision Maker **should** take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus capacity in neighbouring less popular or successful schools **should not** in itself prevent the addition of new places.

4.29 Where the school has a religious character, or follows a particular philosophy, the Decision Maker **should** be satisfied that there is satisfactory evidence of sufficient demand for places for the expanded school to be sustainable.

4.30 Where proposals will add to surplus capacity but there is a strong case for approval on parental preference and standards grounds, the presumption **should** be for approval. The LA in these cases will need to consider parallel action to remove the surplus capacity thereby created.

#### **Expansion of Successful and Popular Schools** (Paragraph 4.31-4.34)

4.31 The Government is committed to ensuring that every parent can choose an excellent school for their child. We have made clear that the wishes of parents **should** be taken into account in planning and managing school estates. Places **should** be allocated where parents want them, and as such, it **should** be easier for successful and popular primary and secondary schools to grow to meet parental demand. For the purposes of this guidance, the Secretary of State is not proposing any single definition of a successful and popular school. It is for the Decision Maker to decide whether a school is successful and popular, however, the following indicators **should** all be taken into account:

- a. the school's performance;

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- i. in terms of absolute results in key stage assessments and public examinations;
  - ii. by comparison with other schools in similar circumstances (both in the same LA and other LAs);
  - iii. in terms of value added;
  - iv. in terms of improvement over time in key stage results and public examinations.
- b. the numbers of applications for places;
- i. the Decision Maker should also take account of any other relevant evidence put forward by schools.

4.32 The strong presumption is that proposals to expand successful and popular schools **should** be approved. In line with the Government's long standing policy that there **should** be no increase in selection by academic ability, this presumption does not apply to grammar schools or to proposals for the expansion of selective places at partially selective schools.

4.33 The existence of surplus capacity in neighbouring less popular schools **should not** in itself be sufficient to prevent this expansion, but if appropriate, in the light of local concerns, the Decision Maker **should** ask the LA how they plan to tackle any consequences for other schools. The Decision Maker **should** only turn down proposals for successful and popular schools to expand if there is compelling objective evidence that expansion would have a damaging effect on standards overall in an area, which cannot be avoided by LA action.

4.34 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the School Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code of Practice. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements in to line with the School Admissions Code.

### **Travel and Accessibility for All** (Paragraphs 4.35-4.36)

4.35 In considering proposals for the reorganisation of schools, Decision Makers **should** satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes **should not**

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adversely impact on disadvantaged groups.

4.36 In deciding statutory proposals, the Decision Maker **should** bear in mind that proposals **should not** have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc.

### **16-19 Provision** (Paragraphs 4.37-4.39)

4.37 The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:

- standards and quality: the provision available **should** be of a high standard – as demonstrated by high levels of achievement and good completion rates;
- progression: there **should** be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes **should** make provision for the pastoral, management and learning needs of the 14-19 age group;
- participation: there are high levels of participation in the local area; and,
- learner satisfaction: young people consider that there is provision for their varied needs, aspirations and aptitudes in a range of settings across the area.

4.38 Where standards and participation rates are variable, or where there is little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.

4.39 Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.

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### **Addition of post-16 provision by “high performing” schools** (Paragraphs 4.40-4.51)

4.40 The Government remains committed to the principle that high performing 11-16 schools **should** be allowed to add post-16 provision where there is parental and student demand, in order to extend quality and choice. But the context in which this principle will operate is changing. From April 2010, the Apprenticeships, Skills, Children and Learning Act 2009 will transfer the responsibility for 16-19 planning and funding from the LSC to LAs. LAs will be responsible for maintaining an effective and coherent system of 14-19 organisation which delivers the new entitlement – to a new curriculum and new qualifications, including all 17 Diploma lines from 2013 and an Apprenticeship place for those who meet the entry criteria - to all young people in their area. Collaboration will be a key feature of 14-19 provision.

4.41 So, while there is still a strong presumption of approval for proposals from high performing schools, that decision **should** now be informed by additional factors: the need for local collaboration; the viability of existing post-16 providers in the local area; and the improvement of standards at the school that is proposing to add post-16 provision. Only in exceptional circumstances\* would these factors lead Decision Makers not to approve a proposal. If the Decision Maker were minded not to approve a proposal, he **should** first consider whether modification of the proposal would enable the proposer to comply with these conditions (see paragraph 4.49).

*\* Exceptional circumstances in which the Decision Maker might reject the proposal to add a sixth form to a presumption school would include if there is specific evidence that a new sixth form was of a scale that it would directly affect the viability of another neighbouring, high quality institution that itself was not large in comparison to other institutions of that type. Exceptional circumstances might also include a situation where there are a number of presumption schools in the same area at the same time and/or where there is clear evidence that the scale of the aggregate number of additional 16-18 places far exceeds local need and affordability and is therefore clearly poor value for money.*

4.42 There **should** be a strong presumption in favour of the approval of proposals for a new post-16 provision where:

- a. the school is a high performing specialist school that has opted for an applied learning specialism; or
- b. the school, whether specialist or not, meets the DCSF criteria for ‘high performing’ and does not require capital support.

4.43 The school **should** ensure that, in forwarding its proposals to the Decision Maker, it provides evidence that it meets one of the criteria at paragraph 4.42 above.

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4.44 Where a new sixth form is proposed by a specialist school that has met the 'high performing' criteria and which has opted for an applied learning specialism, capital funding may be available from the 16-19 Capital Fund.

4.45 This presumption will apply to proposals submitted to the Decision Maker within:

- a. two years from the date a school commences operation with applied learning specialist school status; or
- b. two years from the date a school is informed of its Ofsted Section 5 inspection results which would satisfy DfE criteria for 'high performing' status.

NOTE: 'submitted to the Decision Maker' above refers to when proposals and representations are with the Decision Maker, following the end of the representation period.

4.46 The increase in the period in which a school is eligible to expand its post-16 provision recognises the time required to embed the new presumption places within a local 14-19 delivery plan and for effective collaboration to take place.

4.47 New post-16 provision in schools **should**, as appropriate, operate in partnership with other local providers to ensure that young people have access to a wide range of learning opportunities. In assessing proposals from 'high performing' schools to add post-16 provision, Decision Makers **should** look for:

- a. evidence of local collaboration in drawing up the presumption proposal; and
- b. a statement of how the new places will fit within the 14-19 organisation in an area; and
- c. evidence that the exercise of the presumption is intended to lead to higher standards and better progression routes at the 'presumption' school.

4.48 If a school has acted in a collaborative way and has actively attempted to engage other partners in the local area, but it is clear that other institutions have declined to participate, that fact **should not** be a reason for declining to approve a proposal. The onus is on other providers to work with a school which qualifies for the presumption of approval for new post-16 provision.

4.49 The Decision Maker **should** only turn down proposals to add post-16 provision from schools eligible for the sixth form presumption if there is compelling and objective evidence that the expansion would undermine the viability of an existing high quality post-16 provider or providers. The fact that an existing school or college with large numbers of post-16 students might recruit a smaller number of students aged 16-19 is not, of itself, sufficient to meet this condition, where the "presumption" school can show that there is reasonable

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demand from students to attend the school after age 16.

4.50 The existence of surplus capacity in neighbouring schools or colleges that are not high performing **should not** be a reason to reject a post-16 presumption proposal. It is the responsibility of the LA to consider decommissioning poor quality provision as well as commissioning high quality provision. The LA should therefore plan to tackle any consequences of expansion proposals for other schools.

4.51 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the mandatory Schools Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements into line with the School Admissions Code.

### **Conflicting Sixth Form Reorganisation Proposals** (Paragraph 4.52)

4.52 Where the implementation of reorganisation proposals by the LSC<sup>5</sup> conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (by the School Organisation Proposals by the LSC for England Regulations 2003) from making a decision on the “related” proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

### **16-19 Provision ‘Competitions’** (Paragraphs 4.53-4.56)

4.53 Non-statutory competitions for new 16-19 provision were introduced from January 2006. They are administered by the regional arm of the LSC, in line with the LSC’s current role as commissioner of 16-19 provision. The Government intends to transfer the responsibility for 16-19 provision from the LSC to LAs from 2010.<sup>6</sup>

4.54 The current arrangements for the establishment of new institutions by competition involves a two-stage approval process:

- a. the competition selection process;

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<sup>5</sup> References throughout this document to the LSC only apply up to April 2010. The ASCL Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People’s Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

<sup>6</sup> The ASCL Act will remove the LSC and also the power of LAs to establish sixth form schools, whether by a competition or otherwise. Section 126 of the Act amends section 16 of the Education Act 1996 and sections 7,10 and 11 of EIA 2006.

## STAGE 4 - DECISION

b. approval of the outcome by existing processes (e.g. Decision Maker approval of school/LA proposals and Secretary of State approval of college/LSC proposals, as required by law).

4.55 Competitors will be eligible to apply to the 16-19 Capital Fund. Where a competition is 'won' by a school, they **must** then publish statutory proposals and these **must** be considered by the Decision Maker on their merits.

4.56 Where proposals to establish sixth forms are received, and the local LSC is running a 16-19 competition, the Decision Maker **must** take account of the competition when considering the proposals.

### FUNDING AND LAND

#### Capital (Paragraphs 4.57-4.59)

4.57 The Decision Maker **should** be satisfied that any land, premises or capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the LA, DCSF, or LSC). In the case of an LA, this **should** be from an authorised person within the LA, and provide detailed information on the funding, provision of land and premises etc.

4.58 Where proposers are relying on DCSF as a source of capital funding, there can be no assumption that the approval of proposals will trigger the release of capital funds from the Department, unless the Department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposals **should** be rejected, or consideration of them deferred until it is clear that the capital necessary to implement the proposals will be provided.

4.59 Proposals **should not** be approved conditionally upon funding being made available, subject to the following specific exceptions: For proposals being funded under the Private Finance Initiative (PFI) or through the BSF programme, the Decision Maker **should** be satisfied that funding has been agreed 'in principle', but the proposals **should** be approved conditionally on the entering into of the necessary agreements and the release of funding. A conditional approval will protect proposers so that they are not under a statutory duty to implement the proposals until the relevant contracts have been signed and/or funding is finally released.

#### Capital Receipts (Paragraphs 4.60-4.62)

4.60 Where the implementation of proposals may depend on capital receipts from the disposal of land used for the purposes of a school (i.e. including one proposed for closure in "related" proposals) the Decision Maker **should** confirm



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whether consent to the disposal of land is required, or an agreement is needed, for disposal of the land. Current requirements are:

- a. Community Schools – the Secretary of State’s consent is required under paragraph 2 of Schedule 35A to the Education Act 1996 and, in the case of playing field land, under section 77 of the Schools Standards and Framework Act 1998 (SSFA 1998).
- b. Foundation (including Trust) and Voluntary Schools:
  - i. playing field land – the governing body, foundation body or trustees will require the Secretary of State’s consent, under section 77 of the SSFA 1998, to dispose, or change the use of any playing field land that has been acquired and/or enhanced at public expense.
  - ii. non-playing field land or school buildings – the governing body, foundation body or trustees no longer require the Secretary of State’s consent to dispose of surplus non-playing field land or school buildings which have been acquired or enhanced in value by public funding. They will be required to notify the LA and seek local agreement of their proposals. Where there is no local agreement, the matter **should** be referred to the Schools Adjudicator to determine. (Details of the new arrangements can be found in the Department’s guidance “The Transfer and Disposal of School Land in England: A General Guide for Schools, Local Authorities and the Adjudicator”).

4.61 Where expansion proposals are dependent upon capital receipts of a discontinuing foundation or voluntary school the governing body is required to apply to the Secretary of State to exercise his various powers in respect of land held by them for the purposes of the school. Normally he would direct that the land be returned to the LA but he could direct that the land be transferred to the governing body of another maintained school (or the temporary governing body of a new school). Where the governing body fails to make such an application to the Secretary of State, and the school subsequently closes, all land held by them for the purposes of the discontinued school will, on dissolution of the governing body, transfer to the LA unless the Secretary of State has directed otherwise before the date of dissolution.

4.62 Where consent to the disposal of land is required, but has not been obtained, the Decision Maker **should** consider issuing a conditional approval for the statutory proposals so that the proposals gain full approval automatically when consent to the disposal is obtained (see paragraph 4.75).

### **New Site or Playing Fields** (Paragraph 4.63)

4.63 Proposals dependent on the acquisition of an additional site or playing

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field may not receive full approval but **should** be approved conditionally upon the acquisition of a site or playing field.

### **Land Tenure Arrangements** (Paragraph 4.64)

4.64 For the expansion of voluntary or foundation schools it is desirable that a trust, or the governing body if there is no foundation, holds the freehold interest in any additional site that is required for the expansion. Where the trustees of the voluntary or foundation school hold, or will hold, a leasehold interest in the additional site, the Decision Maker will need to be assured that the arrangements provide sufficient security for the school. In particular the leasehold interest **should** be for a substantial period – normally at least 50 years – and avoid clauses which would allow the leaseholder to evict the school before the termination of the lease. The Decision Maker **should** also be satisfied that a lease does not contain provisions which would obstruct the governing body or the headteacher in the exercise of their functions under the Education Acts, or place indirect pressures upon the funding bodies.

### **School Playing Fields** (Paragraph 4.65)

4.65 The Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools **should** have access. The Decision Maker will need to be satisfied that either:

- a. the premises will meet minimum requirements of The Education (School Premises) Regulations 1999; or
- b. if the premises do not meet those requirements, the proposers have secured the Secretary of State's agreement in principle to grant a relaxation.

Where the Secretary of State has given 'in principle' agreement as at paragraph 4.60(b) above, the Decision Maker **should** consider issuing conditional approval so that when the Secretary of State gives his agreement, the proposals will automatically gain full approval.

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### **SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION**

#### **Initial Considerations** (Paragraphs 4.66-4.67)

4.66 SEN provision, in the context of School Organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change LAs **should** aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They **should** ensure that local proposals:

- a. take account of parental preferences for particular styles of provision or education settings;
- b. offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise ) and regional and sub-regional provision; out of LA day and residential special provision;
- c. are consistent with the LA's Children and Young People's Plan;
- d. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- e. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- f. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- g. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- h. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights must be ensured. Other interested partners, such as the Health Authority should be involved.

## STAGE 4 - DECISION

4.67 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

### **The Special Educational Needs Improvement Test** (Paragraph 4.68)

4.68 When considering any reorganisation of provision that would be recognised by the LA as reserved for pupils with special educational needs, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers **should** show how the key factors set out in paragraphs 4.69 to 4.72 below have been taken into account by applying the SEN improvement test. Proposals which do not credibly meet these requirements **should not** be approved and Decision Makers **should** take proper account of parental or independent representations which question the LA's own assessment in this regard.

### **Key Factors** (Paragraphs 4.69-4.72)

4.69 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they **should**:

- a. identify the details of the specific educational benefits that will flow from the proposals in terms of:
  - i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
  - ii. improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
  - iii. improved access to suitable accommodation; and
  - iv. improved supply of suitable places.
- b. LAs **should** also:

## STAGE 4 - DECISION

- i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
- ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools should confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
- iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
- iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

4.70 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) **should not** be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been excluded; in such cases the statement **must** be amended to name the PRU, but PRUs **should not** be seen as an alternative long-term provision to special schools.

4.71 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.72 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

### OTHER ISSUES

#### **Views of Interested Parties** (Paragraphs 4.73)

4.73 The Decision Maker **should** consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils;

## STAGE 4 - DECISION

staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker **should not** simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker **should** give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

### **Types of Decision** (Paragraph 4.74)

4.74 In considering proposals for the expansion of a school, the Decision Maker can decide to:

- reject the proposals;
- approve the proposals;
- approve the proposals with a modification (e.g. the implementation date); or
- approve the proposals subject to them meeting a specific condition (see paragraph 4.75 below).

### **Conditional Approval** (Paragraphs 4.75-4.76)

4.75 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations i.e. as follows:

- a. the grant of planning permission under Part 3 of the Town and Country Planning Act 1990;
- b. the acquisition of any site required for the implementation of the proposals;
- c. the acquisition of playing fields required for the implementation of the proposals;
- d. the securing of any necessary access to a site referred to in sub-paragraph (b) or playing fields referred to in sub-paragraph (c);
- e. the private finance credit approval given by the DCSF following the entering into a private finance contract by an LA;

## STAGE 4 - DECISION

- f. the entering into an agreement for any necessary building project supported by the DCSF in connection with BSF programme;
- g. the agreement to any change to admission arrangements specified in the approval, relating to the school or any other school or schools (this allows the approval of proposals to enlarge the premises of a school to be conditional on the decision of adjudicators to approve any related change in admission numbers);
- h. the making of any scheme relating to any charity connected with the school;
- i. the formation of any federation (within the meaning of section 24(2) of the 2002 Act) of which it is intended that the proposed school should form part, or the fulfilling of any other condition relating to the school forming part of a federation;
- j. the Secretary of State giving approval under regulation 5(4) of the Education (Foundation Body) (England) Regulations 2000 to a proposal that a foundation body must be established and that the school must form part of a group for which a foundation must act;
- k. the Secretary of State making a declaration under regulation 22(3) of the Education (Foundation Body) (England) Regulations 2000 that the school should form part of a group for which a foundation body acts;
- ka. where the proposals are to alter the upper age limit of the school, the decision of the Secretary of State to establish a new FE college under s16 of the Further and Higher Education Act 1992;
- l. where the proposals in question depend upon any of the events specified in paragraphs (a) to (ka) occurring by a specified date in relation to proposals relating to any other school or proposed school, the occurrence of such an event; and
- m. where proposals are related to proposals for the establishment of new schools or discontinuance of schools, and those proposals depend on the occurrence of events specified in regulation 20 of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007<sup>7</sup> the occurrence of such an event.

4.76 The Decision Maker **must** set a date by which the condition **must** be met, but will be able to modify the date if the proposers confirm (preferably before the date expires), that the condition will be met later than originally thought. The condition-to-be-met-by date **must** be before the proposed implementation date of the proposal (which can also be modified if necessary). Therefore care **should**

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<sup>7</sup> S.I. 2007/1288.

## STAGE 4 - DECISION

be taken when setting condition-to-be-met-by dates, particularly if proposals are “related” e.g. if a school is proposed to add a sixth form on 1<sup>st</sup> September one year, and enlarge on 1<sup>st</sup> September the following year, and the enlargement requires planning permission, the condition set **must** be met before the addition of a sixth form can be implemented (the earlier proposal). This is because as “related” proposals, they **should** both have the same decision, which in this case, would have been approval conditional upon planning permission being met. The proposer **should** inform the Decision Maker and the Department (SOCU, DCSF, Mowden Hall, Staindrop Road, Darlington DL3 9BG or by email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk)) of the date when a condition is modified or met in order for the Department’s records, and those of Edubase to be kept up to date. If a condition is not met by the date specified, the proposals **must** be referred back to the Decision Maker for fresh consideration.

### **Decisions** (Paragraphs 4.77-4.79)

4.77 All decisions **must** give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

4.78 A copy of all decisions **must** be forwarded to:

- the LA or governing body who published the proposals;
- the trustees of the school (if any);
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk));
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the bishop of the RC diocese;
- each objector except where a petition has been received. Where a petition is received a decision letter **must** be sent to the person who submitted the petition, or where this is unknown, the signatory whose name appears first on the petition; and
- where the school is a special school, the relevant primary care trust, an NHS trust or NHS foundation trust.

4.79 In addition, where proposals are decided by the LA, a copy of the decision **must** be sent to the Office of the Schools Adjudicator, Mowden Hall, Darlington



## STAGE 4 - DECISION

DL3 9BG. Where proposals are decided by the schools adjudicator, a copy of the decision **must** be sent to the LA that it is proposed should maintain the school.

### **Can proposals be withdrawn?** (Paragraph 4.80)

4.80 Proposals can be withdrawn at any point before a decision is taken. Written notice **must** be given to the LA, or governing body, if the proposals were published by the LA. Written notice **must** also be sent to the schools adjudicator (if proposals have been sent to him) and the Secretary of State – i.e. via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk). Written notice **must** also be placed at the main entrance to the school, or all the entrances if there are more than one.

## STAGE 5 - IMPLEMENTATION

### Stage 5 – Implementation (Paragraphs 5.1-5.13)

5.1 The proposers are under a **statutory duty** to implement any proposals which an LA or schools adjudicator has approved, by the approved implementation date. The proposals **must** be implemented as published, taking into account any modifications made by the Decision Maker. The following bodies are responsible for the implementation of proposals:

Type of School	Body that published proposals	Duty to implement
Community	LA	LA
Foundation	Proposers	LA and the proposers as set out in published proposals
	LA	LA
Voluntary Controlled	Proposers	LA and the proposers as set out in published proposals
Voluntary Aided	Proposers	Proposers but LA to provide playing fields

5.2 The LA **must** provide any additional school site that is required where proposals are approved for a foundation, Trust or voluntary controlled school and **must** convey their interest to the governing body or the trustees as appropriate, except where proposals state that the site will be provided by the proposers. Where proposals are approved for a voluntary aided school, the proposers **must** provide any additional school site that is required, although the LA may use its power to assist proposers by providing and conveying its interest in a site.

5.3 If the approval was subject to a condition being met by a specified date, proposers **should** ensure that they meet this. If it looks as though it might not be possible to meet the condition by the specified date, the proposals **must** be considered afresh by the Decision Maker that decided the proposals. The proposer **should** seek a modification to the condition **before** the date has passed.

### Can Proposals Be Modified? (Paragraphs 5.4-5.6)

5.4 If it proves impossible to implement the proposals as approved, the proposers can seek a modification and **must** apply to the Decision Maker who decided the proposals. A modification **should** be made before the approved implementation date for the proposals is reached.

## STAGE 5 - IMPLEMENTATION

5.5 The most common modification is to the implementation date. However, proposals cannot be modified to the extent new proposals are substituted for those that have been consulted upon and published. If proposers wish to make a significant change to proposals after they have been approved, they **must** publish “revocation” proposals to be relieved of the duty to implement the proposals (see paragraphs 5.7 to 5.11 below) and publish fresh proposals.

5.6 Before modifying proposals the Decision Maker **must** consult the proposers and the LA, if the LA did not publish the proposals. The proposals should not be modified in a way that would in effect substitute new proposals – this would run the risk of successful legal challenge in the courts. The Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk)) **must** be notified of any modification and the date it was approved, within one week of the proposal being modified.

### **Revocation** (Paragraphs 5-7-5.13)

5.7 If proposers cannot implement approved proposals they **must** publish fresh proposals to be relieved of the duty to implement. Paragraph 41 of Schedules 3 and 5 of the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) provide that revocation proposals **must** contain the following information:

- a description of the original proposals as published;
- the date of the publication of the original proposals; and
- a statement as to why it is proposed that the duty to implement proposals should not apply in relation to the original proposals.

The proposals can be published as “related” proposals, if appropriate (following consultation). Templates for revocation notices can be found on the School Organisation website ([www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)) under ‘Standard Forms’ via the Members’ Area. You need to register to access this area; membership is free.

5.8 The notice **must** be published in a local newspaper circulating in the area served by the school, and also posted at the main entrance to the school (and all entrances if there are more than one) and at some other conspicuous place in the area served by the school. The proposals **must** provide for anyone to submit comments and objections on the proposals to the LA within 6 weeks of the proposals being published (regardless of the length of the original representation period). The proposers **must** forward a copy of the proposals to the LA/governing body within 1 week of publication. Proposers are advised to consult interested parties on the planned revocation proposals before publication although there is

## STAGE 5 - IMPLEMENTATION

no statutory requirement to do so.

5.9 Revocation proposals **must** be decided by the LA, except where the original proposals were decided by the schools adjudicator (or School Organisation Committee), or if the schools adjudicator is required to decide any “related” proposals, in which case the LA **must** forward the proposals, and any comments and objections received, to the schools adjudicator within 2 weeks from the end of the representation period. If the LA are to decide proposals they **must** do so within 2 months from the end of the representation period and if not, **must** pass the proposals to the schools adjudicator within 1 week from the end of the 2 month period.

5.10 To approve the proposals the Decision Maker **must** be satisfied that implementation of the original proposals would be unreasonably difficult, or that circumstances have so altered since the original proposals were approved that their implementation would be inappropriate.

5.11 A copy of the decision **must** be forwarded to:

- the LA or governing body who published the proposals;
- the trustees of the school (if any);
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk));
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the bishop of the RC diocese.

5.12 The following bodies have a right of appeal to the schools adjudicator if they disagree with the LA’s decision:

- The local Church of England diocese;
- The bishop of the local Roman Catholic diocese;
- The LSC where the school is to provide education for pupils aged 14 and over; and
- The governing body and trustees (if relevant) of the school.

## STAGE 5 - IMPLEMENTATION

5.13 Appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals and the representations (together with any comments made on these representations by the proposers) to the schools adjudicator within 1 week of the receipt of the appeal. The LA need to also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

**Annex A**

**PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal**

*NB. If the School Organisation Notice Builder tool is used to create a draft statutory notice, a template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in "Standard Forms" in the Members' Area of the website or you can enter the information required in the expandable boxes below.*

**Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):**

**In respect of a Governing Body Proposal: School and governing body's details**

1. The name, address and category of the school for which the governing body are publishing the proposals.

**In respect of an LEA Proposal: School and local education authority details**

1. The name, address and category of the school .

**Implementation and any proposed stages for implementation**

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

**Objections and comments**

3. A statement explaining the procedure for making representations, including —
- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority;
- and

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(b) the address of the authority to which objections or comments should be sent.

**Alteration description**

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

**School capacity**

5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

(a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

(b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

(c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

(d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

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(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

### Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

### Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

### Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

- (b) the arrangements for safeguarding the welfare of children at the school;



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[Empty rectangular box]

- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

[Empty rectangular box]

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

[Empty rectangular box]

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

[Empty rectangular box]

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

[Empty rectangular box]

**Transfer to new site**

**9.** Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

[Empty rectangular box]

- (b) the distance between the proposed and current site;

[Empty rectangular box]

## ANNEX A

(c) the reason for the choice of proposed site;

(d) the accessibility of the proposed site or sites;

(e) the proposed arrangements for transport of pupils to the school on its new site;  
and

(f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

### Objectives

10. The objectives of the proposals.

### Consultation

11. Evidence of the consultation before the proposals were published including—

- (a) a list of persons who were consulted;
- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted;
- (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- (e) copies of all consultation documents and a statement on how these documents were made available.

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### Project costs

12. A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

13. A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

### Age range

14. Where the proposals relate to a change in age range, the current age range for the school.

### Early years provision

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

- (c) evidence of parental demand for additional provision of early years provision;

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- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

**Changes to sixth form provision**

**16.** (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

- (b) A statement as to how the new places will fit within the 16-19 organisation in an area;

(c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

- (d) The proposed number of sixth form places to be provided.

**17.** Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

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**Special educational needs**

**18.** Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

- (b) any additional specialist features will be provided;

- (c) the proposed numbers of pupils for which the provision is to be made;

- (d) details of how the provision will be funded;

- (e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

- (f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

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- (g) the location of the provision if it is not to be established on the existing site of the school;

- (h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

**19.** Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

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**20.** Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

[Empty box]

**Sex of pupils**

**21.** Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area;

[Empty box]

- (b) evidence of local demand for single-sex education; and

[Empty box]

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

[Empty box]

**22.** Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

[Empty box]

## ANNEX A

- (b) evidence of local demand for single-sex education.

### **Extended services**

**23.** If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

### **Need or demand for additional places**

**24.** If the proposals involve adding places—

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

**25.** If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

- (b) a statement on the local capacity to accommodate displaced pupils.



## ANNEX A

### **Expansion of successful and popular schools**

**25A.** (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

**Proposals to enlarge the school - determining whether statutory proposals are required**

**Text from Prescribed Alteration Regs, including proposed amendments (in bold):**

**Enlargement to premises**

1. —(1) An enlargement of the premises of the school which would increase the capacity of the school by—

(a) more than 30 pupils; and

(b) by 25% or 200 pupils (whichever is the lesser).

(2) Subject to sub-paragraph (3) in this paragraph—

"an enlargement" of the premises of a school includes—

(a) the proposed enlargement; and

(b) any enlargements made in the 5 years preceding the date when the new enlargement will be made, excluding any temporary enlargements where it is anticipated the enlargement will be in place for less than 3 years; and

(c) the making permanent of any temporary enlargement.

(3) Where there have been any enlargements for which proposals have been published and approved under section 28 of SSFA 1998 or section 19 of the Act ("approved proposal"), **in the five years preceding the date when the new enlargement will be made, an enlargement only includes those made after the latest approved proposals.**

## ANNEX B

Answer each question in turn, except where directed to a later question (i.e. according to answer given).

**If no physical enlargement of the premises is being undertaken, go straight to Question 5 below.**

1. Does the school expect to revert to its existing physical capacity within three years ie. is this a Temporary Increase?

**If Yes go to 7      If No go to 2**

2. For the purposes of answering questions 3 & 4, look back to the most recent of the following (ignoring any Temporary Increases):

a) the date up to 5 years prior to the date the current enlargement is proposed to be implemented OR

b) the date when the school opened OR

c) the date when any previous statutory proposal to enlarge the premises of the school was implemented.

Using the net capacity figures at either a, b or c (whichever is the most recent event and ignoring any Temporary Increases), **Go to 3**

3. Will the capacity of the school be increased by 30 or more pupils?

**If Yes go to 4      If No go to 5**

4. Will the capacity be increased by 25% or at least 200 pupils (whichever is the lesser)?

**If Yes go to 6      If No go to 5**

5. Will the school's admission number be increased?

**If Yes go to the School Admissions Code**

**If No go to 7**

6. Prescribed alteration proposals **must be** published for **an enlargement** to the premises of the school.

**IF THE PROPOSAL ALSO REQUIRES AN INCREASE TO THE PUPIL ADMISSION NUMBER (PAN), RETURN TO QUESTION 5.**

**IF NOT. END.**

7. Prescribed alteration proposals do **not** need to be published for **an enlargement** to the premises of the school.

ANNEX B

**IF THE PROPOSAL ALSO REQUIRES AN INCREASE TO THE PUPIL  
ADMISSION NUMBER (PAN), RETURN TO QUESTION 5.**

**IF NOT. END.**

APPENDIX B

Interested Parties list for consultation on proposed expansion of Kirton Primary School		
Interested Party	Name	Contact Details
Message on Int Comms		
Details on LCC website		
Details on George		
Leader of Council	Cllr Hill	<a href="mailto:cclirm.hill@lincolnshire.gov.uk">cclirm.hill@lincolnshire.gov.uk</a>
Executive Councillor	Cllr Mrs P Bradwell & Cllr Brailsford	<a href="mailto:cclirp.bradwell@lincolnshire.gov.uk">cclirp.bradwell@lincolnshire.gov.uk</a> <a href="mailto:CllrD.Brailsford@lincolnshire.gov.uk">CllrD.Brailsford@lincolnshire.gov.uk</a>
Chief Property Officer	Kevin Kendall	<a href="mailto:Kevin.Kendall@lincolnshire.gov.uk">Kevin.Kendall@lincolnshire.gov.uk</a>
Property Manager Operations	Jim Hogg	<a href="mailto:jim.hogg@lincolnshire.gov.uk">jim.hogg@lincolnshire.gov.uk</a>
LCC Chief Execs office- DMT/SMT/Management Board	Copy to Kathy White as the Director's PA and ask her to forward to DB/MT and appropriate Senior Officers NB Relevant Councillors are being notified separately by us.	<a href="mailto:Kathy.White@lincolnshire.gov.uk">Kathy.White@lincolnshire.gov.uk</a>
CfBT	Andy Breckon	<a href="mailto:Andy.breckon@cfbt.com">Andy.breckon@cfbt.com</a>
CfBT primary	Tim Culpin & John Sandfield	<a href="mailto:jsandfield@cfbt.com">jsandfield@cfbt.com</a> ; <a href="mailto:tculpin@cfbt.com">tculpin@cfbt.com</a>
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CfBT strategic projects incl SEN	Paul Snook	<a href="mailto:psnook@cfbt.com">psnook@cfbt.com</a> ; <a href="mailto:sgregory@cfbt.com">sgregory@cfbt.com</a>
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School Administration	Adrian Flowers	<a href="mailto:Adrian.Flowers@lincolnshire.gov.uk">Adrian.Flowers@lincolnshire.gov.uk</a>
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	Steph Douglas	<a href="mailto:steph.douglas@cfbt.com">steph.douglas@cfbt.com</a>
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ICT Support Mouchel	Neil Winter	<a href="mailto:neil.winter@mouchel-lincoln.com">neil.winter@mouchel-lincoln.com</a>
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APPENDIX B

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<b>County Councillors</b>	Mike Gilbert	<a href="mailto:ClrM.Gilbert">ClrM.Gilbert</a>
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	Ray Newell	<a href="mailto:ClrR.Newell">ClrR.Newell</a>
	Raymond B Singleton-McGuire	<a href="mailto:ClrR.Singleton-McGuire">ClrR.Singleton-McGuire</a>
	Michael Brookes	<a href="mailto:ClrM.Brookes">ClrM.Brookes</a>
	Paul Anthony Skinner	<a href="mailto:ClrP.Skinner">ClrP.Skinner</a>
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<b>Parish Councils -areas surrounding Kirton</b>	Kirton Parish Council	<a href="mailto:belindabuttery@hotmail.com">belindabuttery@hotmail.com</a>
	Swineshead	<a href="mailto:info@swineshead-lincspc.org">info@swineshead-lincspc.org</a>
	Wigtoft	<a href="mailto:johnmarvipiper@hotmail.com">johnmarvipiper@hotmail.com</a>
	Sutterton	<a href="mailto:belindabuttery@hotmail.com">belindabuttery@hotmail.com</a>
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APPENDIX B

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	Charles Shaw chair of Lincolnshire Federation of Liberal Democrat Constituences	<a href="mailto:chair@lincslibdems.org.uk">chair@lincslibdems.org.uk</a> or <a href="mailto:drcwshaw@yahoo.co.uk">drcwshaw@yahoo.co.uk</a>
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	Roger Hale Secretary Association of School & College Leaders (ASCL)	<a href="mailto:roger.hale@caistorqgrammar.com">roger.hale@caistorqgrammar.com</a>
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<b>Headteacher and staff at Kirton Primary School</b>	Nicky Donley	<a href="mailto:nicky_donley@kirton-boston.lincs.sch.uk">nicky_donley@kirton-boston.lincs.sch.uk</a>
<b>Chair of Goves at Kirton Primary School</b>	Kirton	<a href="mailto:helen.nix@bakkavor.co.uk">helen.nix@bakkavor.co.uk</a>
<b>Feeder Pre Schools</b>	Frampton Playgroup	The Village Hall, Middlegate Lane East, Frampton, nr Boston PE20 1AU
	Bramble Hall Nursery	Station Road, Sutterton, Boston PE20 2JH
	Little Explorers Nurseries Ltd	Middlecott House, 22 Willington Road, Kirton PE20 1EJ
<b>Head, staff, pupils &amp; parents at neighbouring secondary schools -</b>	Boston High School A Selective Academy	<a href="mailto:wendy.beet@bostonhighschool.co.uk">wendy.beet@bostonhighschool.co.uk</a>
Email HT & ask to make aware staff, pupils and parents using noticeboard, website, emails, newsletters and any other methods of communication used by schools.	Boston Grammar School A Selective Academy	<a href="mailto:melanie.bovden@bostongrammarschool.co.uk">melanie.bovden@bostongrammarschool.co.uk</a>
	Boston Haven High	<a href="mailto:phn@hhtc.org.uk">phn@hhtc.org.uk</a>
	Donington Thomas Cowley	<a href="mailto:enquiries@thomascowley.lincs.sch.uk">enquiries@thomascowley.lincs.sch.uk</a>
	Kirton Middlecott School	<a href="mailto:enquiries@middlecott.lincs.sch.uk">enquiries@middlecott.lincs.sch.uk</a>
<b>Chair of Goves of neighbouring secondary schools</b>	Kirton Middlecott School	<a href="mailto:andrew.cogan@ccwsolicitors.co.uk">andrew.cogan@ccwsolicitors.co.uk</a>

APPENDIX B

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	Boston St Thomas CoE	<a href="mailto:enquiries@st-thomas.lincs.sch.uk">enquiries@st-thomas.lincs.sch.uk</a>
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	Wyberton	<a href="mailto:enquiries@wyberton.lincs.sch.uk">enquiries@wyberton.lincs.sch.uk</a>
<b>Chair of Govs of neighbouring primary schools</b>	Boston Park	
	Boston Tower Road	
	Boston West	
	Boston Carlton Road	
	Boston Staniland	
	Sutterton	<a href="mailto:clairetunnard@hotmail.com">clairetunnard@hotmail.com</a>
	Swineshead	<a href="mailto:clairetunnard@hotmail.com">clairetunnard@hotmail.com</a>
	Donington	<a href="mailto:claire@claire32.orangehome.co.uk">claire@claire32.orangehome.co.uk</a>
	Boston Hawthorn Tree	<a href="mailto:stuart@hebron.org.uk">stuart@hebron.org.uk</a>
	Boston St Marys RC	<a href="mailto:jpoucher@btinternet.com">jpoucher@btinternet.com</a>
	Boston St Thomas CoE	<a href="mailto:philip.barlow01@btinternet.com">philip.barlow01@btinternet.com</a>
	Boston St Nicholas CoE	<a href="mailto:fnoble@skirbeckrectory.freeserve.co.uk">fnoble@skirbeckrectory.freeserve.co.uk</a>
	Fishtoft	<a href="mailto:caroledenzil@tiscali.co.uk">caroledenzil@tiscali.co.uk</a>
	Wyberton	<a href="mailto:charles.sowden@btinternet.com">charles.sowden@btinternet.com</a>
<b>Anglican Diocese</b>	Jackie Waters-Dewhurst	<a href="mailto:jackie.wd@lincoln.anglican.org">jackie.wd@lincoln.anglican.org</a>
<b>R C Diocese</b>	Ms Gail Neill	<a href="mailto:timzy.khurwal@nottingham-des.org.uk">timzy.khurwal@nottingham-des.org.uk</a>
<b>Neighbouring LAs</b>	N/A	N/A
<b>EFA</b>	Nick Rashley	<a href="mailto:Nick.rashley@education.gsi.gov.uk">Nick.rashley@education.gsi.gov.uk</a>
	Andrew Barrett	<a href="mailto:Andrew.Barrett@education.gsi.gov.uk">Andrew.Barrett@education.gsi.gov.uk</a>
<b>Libraries</b>	Janet Strudwick, Library Support Service	<a href="mailto:janet.strudwick@lincolnshire.gov.uk">janet.strudwick@lincolnshire.gov.uk</a>
<b>Primary Care Trust</b>	Chief Exec of Lincs Primary Care Trust	<a href="mailto:john.mcivor@lpct.nhs.uk">john.mcivor@lpct.nhs.uk</a>
<b>Any groups using Kirton's school premises</b>	Boston United	The Jakemans Studio, York Street, Boston PE21 6JN
	Willoughby Foods	The Food Factory, Chain Bridge Road, Boston PE21 7LE
	Kids Club	17 High Street, Kirton, Boston PE20 1DR



APPENDIX C



**Complete Proposal**  
**to Expand**  
**Kirton Primary School**

MATTERS TO BE SPECIFIED IN SECTION 19 OF THE EDUCATION AND  
INSPECTIONS ACT 2006

PROPOSALS TO MAKE A PRESCRIBED ALTERATION TO A SCHOOL

**3 April 2013**

## **Contact details**

This proposal has been published by Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ regarding the expansion of Kirton Primary School, Station Road, Kirton, Boston PE20 1HY.

## **Implementation**

The proposal is to expand Kirton Primary School with effect from 1 September 2014. This proposal is being made to ensure that there are sufficient primary school places in Kirton to accommodate the increasing pupil numbers in the community and to enable the Local Authority (LA) to fulfil its statutory duty of providing school places for all children of statutory school age in Lincolnshire.

## **Objections and Comments**

Any person or organisation may object to or make comments on the proposal by sending them to Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or by emailing [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk) to be received by the deadline of 1 May 2013.

## **Alteration description**

The proposal under consideration is to expand the existing capacity based on the Published Admission Number (PAN) from 420 to 630 with an increase in the PAN from 60 to 90.

## **School Capacity and Site**

As a temporary measure the school has admitted above the usual intake of 60 to provide up to 90 Reception places for September 2012 by making use of all available accommodation and remodelling existing accommodation. The LA has asked the school to over offer again for the Reception intake in September 2013 and additional accommodation will be provided to make this possible. Further accommodation will be provided, subject to planning permission, if the proposal to expand capacity with effect from September 2014 goes ahead. If the expansion proposal is approved it is proposed that building work to add necessary additional accommodation will begin during the academic year 2013/2014 (subject to any necessary planning permission being granted) with the aim of having the new facilities completed ready for the start of term in September 2014. This would be managed to cause minimal disruption to the school during term time making best use of school holidays where possible.

The planning application process would be dealt with and consulted on separately with opportunity for those that are interested to be involved throughout the planning process.

The total number on roll for all children in Reception to Year 6 (aged 4 – 11 years) at the time of the census taken in January 2013 was 420. The table below shows the

number currently on roll for year groups Reception to Year 6, and also shows the applications for September 2013 together with potential intake numbers for September 2014 and 2015 based on NHS GP registration data. The published admissions number per year group is currently 60 with a permanent capacity of 420:

	2015	2014	2013	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
Number on Roll	84	69	67	89	60	55	56	57	51	52	420

Data from January 2013 Census and NHS GP Registration trend analysis

## Objectives

The proposal detailed in this document is to expand Kirton Primary School with effect from 1 September 2014 and the objective is both to ensure that there are sufficient primary school places in Kirton to accommodate the increasing pupil numbers in the community and also to enable the LA to fulfil its statutory duty of providing school places for all children of statutory school age in Lincolnshire within a reasonable distance from where they live.

The LA considers this to be the best available solution to the expected shortage of primary school places in Kirton and would not be actively participating in this process if it did not see significant advantages for children and young people, their parents/carers and the local community. Other options in this area have been explored and all primary schools have been considered for potential expansion but none have been found to be as suitable due to reasons such as undersized sites, distance that pupils would have to travel, parental preference, potential impact on standards and the fact that Kirton is the only primary school in the heart of the community where the children live. Kirton Primary School is the most appropriate school in the area for expansion and the proposal has the support of the Headteacher and Governing Body. This proposal is in response to local demographic pressures and it is not anticipated that there will be a negative impact on the demand for places at other primary schools.

The LA believes this proposal to be in the best interests of local children and local parents as well as educational provision in the area and it reinforces the priorities in the Children and Young People's Plan (CYPP). The proposal will ensure that the provision of school places is planned so as to promote high educational standards, enable fair access to educational opportunity for every child and promote the fulfilment of each child's potential. This proposal will both enhance the quality of provision and sustain local provision.

The publication of the Statutory Notice will enable the statutory and legal processes to proceed. This continuation to the next stage of the process will allow a further opportunity for people and organisations to express their views about the proposal and ensure that they will be taken into account by the Executive Councillor.

## Consultation

In order for the school to expand the LA must follow the necessary statutory legal processes as required by the Secretary of State in accordance with the Education and Inspections Act (EIA) 2006 and updated by the Education Act 2011 together

with the guidance of the Department for Education (DfE) regarding expansion. Under current legislation the LA is the decision maker for the proposal.

Consultation originally began on 10 January 2013 with a letter, incorporating relevant information and reasons for the proposal, being sent to all parents of pupils attending the school informing them of the proposal. Interested parties were also informed as required by guidelines issued by the DfE. In addition, on 22 January 2013, individual drop in sessions were offered to parents to discuss the proposal further with an LA officer. These meetings were offered to allow those having an interest in this proposal to be able to gather information, ask questions and get involved in the debate. However, no appointments were taken up.

All parents/carers and other interested parties were given the opportunity to respond as part of the consultation process by 7 February 2013. Copies of the letter commencing consultation and the response form were also published on the County Council website under the webpage Current Consultations on [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning)

An analysis of the written responses to the consultation is detailed in Appendix B1 but to briefly summarise there were 35 valid responses in total with **all** supporting the proposal. Out of the total of 35 the main group represented consisted of teachers and staff at the school who submitted 24 responses. The remaining 11 responses were from a wide range of consultees including governors at the school, the Headteacher of a neighbouring primary school, Kirton Parish Council, a pre-school group, a local employer and 6 from parents.

The Headteacher has consulted with the children currently attending the school through the school council. This was followed up by classroom discussions in circle time. The consultation produced a very positive response and the children are generally looking forward to the expansion of their school (summary attached in Appendix B2).

#### **Evidence of the consultation before the proposal was published -**

- (a) a list of persons and/or parties who were consulted can be found in Appendix A
- (b) the views of the persons consulted are summarised in Appendix B1 together with a summary of the consultation undertaken by the school council in Appendix B2
- (c) a copy of the letter confirming the commencement of the consultation process and incorporating relevant information and reasons for the proposal is in Appendix C
- (e) a copy of the form to send in responses is in Appendix D.

Following the initial letter all documentation relating to the consultation was published online through the County Council website under Current Consultations at [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning)

All applicable statutory requirements to consult in relation to the proposal were complied with.

## **Project Costs**

This proposed expansion will incur capital costs and the LA will fund the necessary refurbishment costs from the Children's Services capital programme with ongoing revenue costs funded from the Dedicated Schools Grant.

## **Special Educational Needs (SEN) provision**

The expansion of the school is not likely to have any impact on SEN provision other than an opportunity to improve the provision with better access to resources and consistently good quality teaching, learning and leadership at the refurbished school. Consideration of pupils with SEN will take place and the LA will continue to look to make improvements in the standard, quality and/or range of the education provision for children with SEN.

## **Need for places**

National birth rates, mostly concentrated in more urban areas, have been steadily rising in recent years. This increased birth rate, combined in some areas with inward migration and housing development, is now starting to have an impact at primary school age putting significant pressure on primary schools across the country where there is a shortage of Reception places. The Kirton community will experience a shortage of available places if capacity at the local school is not increased.

The school has admitted above the usual intake of 60 to provide up to 90 Reception places for September 2012 by making maximum use of all available accommodation and remodelling existing accommodation. The LA has asked the school to over offer again for the Reception intake in September 2013 and additional accommodation will be provided to make this possible. Further accommodation will be provided, subject to planning permission, if the proposal to expand capacity with effect from September 2014 goes ahead.

The proposal being consulted on is to permanently expand the school from the existing capacity of 420 places based on a PAN of 60 to 630 places (PAN 90), with a proposed implementation date of September 2014. This would increase the PAN initially for the Key Stage 1 year groups (Reception, Year 1 and Year 2) from 60 to 90 with the PAN for years 3 – 6 remaining at 60. The increased intake to 90 would then continue to be phased in with each subsequent Reception intake from September 2015 until the PAN of 90 applies to all year groups. This phased approach will allow the school to effectively manage staffing and teaching structures and help to ensure that pupil numbers at other local schools will be maintained.

NHS birth data for the Kirton area shows that over the next 4 years the number of children that will be requiring a primary school place is more than the number of places currently available. There is expected to be a long term requirement for more places. A permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting 4 year old children to alternative schools outside of their local community. This proposal is being put forward as a solution to the increasing demand for places for local children in Kirton. It is not anticipated that this will have any adverse impact on the demand for places at other

primary schools which will continue to offer places for the children within their own localities. The LA has a vital role in ensuring the viability and sustainability of all schools within Lincolnshire and not to create any excess surplus capacity which would be detrimental to an existing school or Academy.

Having additional classes and more children on roll at the school will also have financial benefits for the school. This may potentially provide the opportunity to enhance teaching provision and career opportunities for staff which in turn will benefit the learning experience of the children.

Following statutory consultation, if the expansion proposal is approved, it is proposed that building work to add necessary additional accommodation will begin during the academic year 2013/14 (subject to planning permission being granted) and planned to be completed in readiness for the start of term in September 2014. This would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible.

Please note that the planning application process is dealt with and consulted on separately and there will be opportunity for those that are interested to be involved throughout the planning process.

### **Expansion of successful and popular schools**

The Government is committed to ensuring that every parent can choose an excellent school for their child with the wishes of parents being taken into account. There is a strong presumption that proposals to expand popular and successful schools should be approved. DfE guidance states that places should be allocated where parents want them and that successful and popular schools be allowed to grow. This proposal will assist in meeting parental preference.

The most recent Ofsted report following an inspection at the school was published in November 2009 with an overall effectiveness rating of "good". At this time parents were also asked to complete a questionnaire. The overwhelming majority of the parents who completed a questionnaire or spoke with inspectors during the inspection were very positive about the school and were happy with their child's progress and experience at the school. A subsequent interim assessment has found that the school's performance has been sustained and that the next full inspection can therefore be deferred and is not anticipated to take place any earlier than the summer term 2014.

The school is popular with parents and in recent years has been oversubscribed as indicated by the numbers of first preference applications received (65 in 2012 and 62 for 2013) for the 60 available places in the Reception class.

### **Related Proposals**

The proposal to expand Kirton Primary School is not related to any other statutory proposal.

## **What will happen now?**

Any person may object to or make comments on this proposal by sending them to Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln, Lincolnshire, LN1 1YQ or by emailing [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk)

At the close of the 4 week representation period (statutory formal consultation) on 1 May 2013 responses will be collated and analysed and a final report will be presented to the Executive Councillor in June 2013 for a decision on the expansion of the school. The representation period is the final opportunity for people and organisations to express their views about the proposal and ensure that they will be taken into account by the decision maker.

## Written Responses made in Consultation Period on the proposed expansion of Kirton Primary School

Point of View	Supports Proposal (35)	Against Proposal (0)	Not For or Against (0)	Other comments/Notes
Employer	y			Only way forward for the growing number of children
Governor	y			
Governor	y			As governor and also parish priest I can see the need for more places to be created at the school. I have been contacted by many concerned parents who cannot get their children into the local school - this and the level of quality education pupils receive necessitates more places being created as soon as possible
Headteacher of neighbouring primary school	y			Issue of shortage of primary places in and around Boston needs addressing as long term issue as this affects all schools in the area. This should not only provide extra provision but also avoid children being transported out of their locality and help to reduce traffic at peak times.
Parent	y			Not being able to get into a chosen school is a distressing experience for child and parent. More spaces will be needed as the local population expands. I am very much in favour.
Parent	y			
Parent	y			
Parent governor	y			A great opportunity for an ever expanding village. Concerns over parking for parents which is already very limited.
Parent governor	y			As resident, former pupil, and parent of past and present pupils I believe it is hugely important to provide high quality education for all the children local to Kirton school. Additional funding and resources will only be a benefit to existing and future pupils.
Parent and schoolstaff	y			Children in the village should be able to attend their local school. More job security for staff. More resources for current and future pupils. Kirton is expanding and needs a bigger school.
Parrish Council	y			In favour but concerns over potential increased demand for parking (could the bus park be used for car parking?) Also concerned that no green play areas or playing fields should be lost.
pre-school feeder group	y			High number of immigrant families with young children and many young families on large housing estates so there will be need for more places. Will cost less to extend school than transport children out of the area and children usually want to go to local school with friends. Also Kirton provides places for Frampton which has no school. Surely all parents would choose this for their children?
Schoolstaff	y			This will enable all children in the village to attend their local school which is important for the future of the village and the school
Schoolstaff	y			Do not want grandchildren to have to go to a school out of the village when there is a good school in Kirton
Schoolstaff	y			School had 3 form entry in 2012 which has been successful showing benefits for pupils and staff and providing a model to follow. Have had concerns with bussing in children from Boston for this 3 form entry but this only strengthens argument behind this expansion proposal as more of Kirton's children will be able to attend their local school and not have to be transported elsewhere.
Schoolstaff	y			Village has expanded and likely to expand further and school must have the capacity to offer places to all Kirton children. Better prospects for staff. The expansion will enhance the partnership between school and village.
Schoolstaff	y			



APPENDIX D

Schoolstaff	y	Against Proposal (0)	Not For or Against (0)	Local children should be able to be educated at their local school.
Point of View	Supports Proposal (35)	Against Proposal (0)	Not For or Against (0)	Other comments/Notes
Schoolstaff	y			The school will be better resourced but all must be thought through eg more out of class space for intervention and one on one time, bigger staff car park, will the hall be adequate?
Schoolstaff	y			
Schoolstaff	y			
Schoolstaff	y			
Schoolstaff	y			It is good for children to go to school with children they live near. If parents don't drive they could otherwise find it hard to get their children to school. More job security.
Schoolstaff	y			Village and residents have expanded and school needs to expand also. Will enable children to attend same school as their friends. Will avoid 4yr olds having to travel to attend a primary school and enable all children to attend their local school. Will form a stronger community spirit. Also may create more jobs for local people.
Schoolstaff	y			Young children should be educated as near as possible to where they live. Also a larger school will benefit from more money for resources and more support staff.
Schoolstaff	y			
Schoolstaff	y			
Schoolstaff	y			It is vital that local children attend a primary school near where they live - this also benefits relationships formed in school as they can be cemented outside of school.
Schoolstaff	y			
Schoolstaff	y			
Schoolstaff	y			With good management and enough extra staff this will be a necessary move for the school and the only way to ensure the school can provide for all. More classes is better than larger sized classes. Hopefully outside green space will not be negatively affected.
Schoolstaff	y			All children living within a community should be able to attend the school within that community. I fully support this expansion proposal if it means that Kirton children will not be turned away from their local school.
Schoolstaff	y			
Schoolstaff	y			

## APPENDIX E

### Kirton Primary School Council Meeting

Date 14.1.13

Absences n/a

Approved minutes from last meeting

One agenda item

Mrs Donley came and led the meeting. She told us a bit more about maybe expanding the school and we all talked about it. We liked the idea but decided to ask all the other children what they thought by classroom visits. We think they will like it too.

Mrs Donley said the teachers would ask the other children in circle time as well and let us know. Mrs Stephenson asked children in assembly.

We wondered where the classrooms might go like upstairs.

We will have another meeting in February to talk more when we have spoken to the other classes. We will tell Mrs Donley all our ideas and ask her to come to another meeting.

Next meeting 21.1.13

## APPENDIX F



Children's Services  
County Offices, Newland, Lincoln LN1 1YQ  
Tel: 01522 782030  
Fax Number 01522 553257

To Staff, Parents/Carers and other interested parties

10 January 2013

Dear Consultee

### **Proposal to Expand Kirton Primary School**

Lincolnshire County Council (LCC) is commencing a consultation process on the proposal to permanently expand the capacity at Kirton Primary School, Station Road, Kirton, Boston PE20 1HY with an implementation date of September 2014.

It is the Local Authority's (LA) statutory duty to ensure that there are sufficient school places to accommodate all pupils of statutory school age in Lincolnshire. The LA believes that this proposal is the best available option to address the expected shortage of Primary Reception school places in Kirton to ensure that local children are able to go to their local school. It is important that the LA gather and consider all views on this proposal prior to making a decision on how to proceed.

The school have admitted above the usual intake of 60 to provide up to 90 Reception places for September 2012 by making maximum use of all available accommodation and remodelling existing accommodation. If the demand for places is greater than the 60 places available for September 2013 then the LA may ask the school to over offer again up to 90 places for the Reception intake in September 2013. Additional accommodation would be provided to make this possible.

The proposal being consulted on is to permanently expand the school from the existing capacity of 420 places based on a Published Admission Number (PAN) of 60 to 630 places (PAN 90), with a proposed implementation date of September 2014. This would increase the PAN initially for the Key Stage 1 year groups from 60 to 90 with the PAN for years 3 – 6 remaining at 60. The increased intake to 90 would then be phased in with each subsequent Reception intake commencing in September 2015 until the PAN of 90 applies to all year groups. This phased approach will allow the school to effectively manage staffing and teaching structures and help to ensure that pupil numbers at other local schools will be maintained.

The following information outlines the reasons for the proposal and explains why there is a need to expand this school and how the expansion can benefit the children and the community.

### **Reasons for the Proposal to Expand Kirton Primary School**

National birth rates, mostly concentrated in more urban areas, have been steadily rising in recent years. This increased birth rate, combined in some areas with inward migration and housing development, is now starting to have an impact at primary school age putting significant pressure on primary schools across the country where there is a shortage of

Reception places. The Kirton community will experience a shortage of available places if capacity at the local school is not increased.

NHS birth data for the Kirton area shows that on average over the next 4 years the number of children that will be requiring a primary school place is up to 30 more each year than it has been in recent years. There is expected to be a long term requirement for more places. A permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting 4 year old children to alternative schools outside of their local community.

Having additional classes and more children on roll at the school will also have financial benefits for the school. This may potentially provide the opportunity to enhance teaching provision and career opportunities for staff which in turn will benefit the learning experience of the children.

Following statutory consultation, if the expansion proposal is approved, it is proposed that building work to add necessary additional accommodation will begin during the academic year 2012/13 (subject to planning permission being granted) and planned to be completed in readiness for the start of term in September 2014. This would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible.

Please note that the planning application process is dealt with and consulted on separately and there will be opportunity for those that are interested to be involved throughout the planning process.

### **Have your say**

If you wish to comment on this proposal then please return the response form by 5.00pm on Thursday 7<sup>th</sup> February 2013 using the contact details provided. If you would like to discuss this further before responding to the proposal then LA officers will be holding pre-booked consultation sessions at the school on 22<sup>nd</sup> January between 8.30 am and 6.00 pm. Please contact Mrs Booker, School Business Manager, on 01205 722236 to arrange an appointment.

If you have any queries regarding the proposal or the consultation process please do not hesitate to contact the Property and Technology Management team (contact details are confirmed on the response form).

If you would like further information or would like to comment on this proposal then please return the attached form, email [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk) or write to Property & Technology Management, Lincolnshire County Council, County Offices, Lincoln LN1 1YQ by 5.00pm on 7<sup>th</sup> February 2013.

Copies of all documents related to this proposal, including an electronic version of the feedback form, can be found online at [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning) under "Current Consultations". Hard copies are also available on request.

Yours sincerely



Matt Clayton  
School Organisation Planning Manager  
Property and Technology Management

## Consultation Feedback Form on the Expansion of Kirton Primary School

**Please note that if you do not provide your name and address your views will not be counted as legitimate responses to this consultation. Names and contact details will remain confidential.**

Name: \_\_\_\_\_ Email (optional): \_\_\_\_\_

Postal Address: \_\_\_\_\_

Parent Carer  Teacher/School Staff  Governor  Employer/Business

Other (please specify)  : \_\_\_\_\_

Which school (if any) do you represent? \_\_\_\_\_

Having read the proposal please indicate your view below by ticking one of the boxes

I am in favour of proposal  I am against proposal  I am neither for nor against the proposal

Why have you decided this is your view? Tell us about it below.

Is there anything else you would like us to consider?

Please return the completed form by 5pm Thursday 7<sup>th</sup> February 2013 to: Property & Technology Management, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or email [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk) or fax 01522 553257

**Proposal to Expand Kirton Primary School.**

**NOTICE IS HEREBY GIVEN** in accordance with section 19(1) of the Education and Inspections Act 2006 as updated by the Education Act 2011 that Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ intends to make a prescribed alteration to Kirton Primary School, Station Road, Kirton, Boston PE20 1HY with effect from 1 September 2014.

The proposal is to permanently expand the school from the existing capacity of 420 to 630 with an increase in the Published Admission Number (PAN) from 60 to 90. This would increase the PAN initially for the Key Stage 1 year groups from 60 to 90 in September 2014 with the PAN for years 3 – 6 remaining at 60. The increased intake to 90 would then be phased in with each subsequent Reception intake commencing in September 2015 until the PAN of 90 applies to all year groups.

As a temporary measure the school have admitted above the usual intake of 60 to provide up to 90 Reception places for September 2012 by making maximum use of all available accommodation and remodelling existing accommodation. The Local Authority (LA) has asked the school to over offer again for the Reception intake in September 2013 and additional accommodation will be provided to make this possible. Further accommodation will be provided, subject to planning permission, if the proposal to expand capacity with effect from September 2014 goes ahead.

The prescribed alteration being consulted on is not related to any other statutory proposal. All statutory consultation requirements in respect of this proposal have been complied with.

The current net capacity of Kirton Primary School is 420 and the proposed capacity will be 630. The current admission number is 60 and the proposed admission number will be 90. There are currently 420 pupils on roll.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained by writing to: Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or by calling 01522 553329 or by emailing [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk) or via [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning)

**Within four weeks** from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or by emailing [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk).

Signed: Debbie Barnes  
Director of Children's Services  
Lincolnshire County Council

**Publication Date:** 3 April 2013

**Explanatory Notes**

1. This proposal is not linked to any other proposal.
2. A copy of the County Council's Home to School Transport policy can be obtained on-line at [www.lincolnshire.gov.uk/parents/schools/school-transport](http://www.lincolnshire.gov.uk/parents/schools/school-transport)
3. Further details on the consultation which have led to this proposal can be accessed on-line under "Current Consultations" via [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning)

<b>Impact Analysis to Enable Informed Decisions</b>						
<b>Background Information</b>						
<b>Directorate</b>	<b>Assistant Director area</b>	<b>Service area</b>	<b>Lead officer</b>	<b>Person / people completing analysis</b>	<b>Date of workshop / meeting</b>	<b>Version</b>
Adults & Children's	Children's Services	Property & Technology Management	Michelle Andrews	Linda Duffield		1
Title of the policy / project / service being considered The expansion of Kirton Primary School						
General overview and description of the The expansion of Kirton Primary School The proposal under consideration is to permanently expand the school from its existing capacity of 420, based on a Published Admission Number (PAN) of 60, to 630, based on a PAN of 90.						
<b>The status of the The expansion of Kirton Primary School</b>			New LCC Directly Delivered			
<b>Timescales for implementation</b> The process commenced on 10 January 2013 with a letter sent out to all parents of current pupils and other interested parties including County/District/and Parish councillors initiating a 4 week period of consultation. 35 responses were received with all supporting the proposal. Following this the Executive Councillor took the decision to publish a Statutory Notice commencing the 4 week Representation Period although no Representation Period responses were received. A final decision is anticipated on 28 June 2013 with an implementation date of 1 September 2014						
<b>Analysis</b>						
<b>1. What is the current situation?</b> Kirton Primary School has a capacity of 420. Due to the pressure on primary school places in Kirton the school has, with the agreement of the LA, offered up to a total of 90 places in the Reception intake in September 2012 and will do so again for the September intake in 2013. This has been made possible by making use of all available accommodation and remodelling existing accommodation. Further accommodation will be provided through a permanent extension of the buildings if the expansion proposal goes ahead.						

<p><b>2. What are the drivers for change?</b></p>	<p>(a) Political -To ensure the LA meets its statutory duty of providing sufficient school places for children of statutory school age in Lincolnshire (b) Economic, social and political -To ensure the provision of school places is planned so as to promote high standards and sustainability therefore enabling children to fulfil their potential. (c) Political &amp; Social - To avoid overcrowding and placing increasing pressure on all primary schools as this would likely lead to a negative impact on the quality of education provided. (d) Economic and social - To avoid increased transport costs and the negative impact of extra travelling time and potential increased car usage if it were necessary for children to travel to villages outside Kirton.</p>
<p><b>3. What difference will we make?</b></p>	<p>The LA will fulfil its statutory duty by providing sufficient school places in the area for all children of a statutory school age. A sustainable long term solution is needed to meet the demand for school places arising out of the increasing birth rate. Overcrowding in primary schools, increased transport costs for home to school transport, extra car usage, negative impact of extra travelling time on children will all be minimised by this proposed expansion.</p>
<p><b>4. What are the assumptions about the benefits?</b></p>	<p>The headteacher and the Governing Body are in full support of the proposal. The additional school places provided will contribute to meeting the demand for school places both now and in the future. It will enable parents to obtain school places for their children at a local school and will enable a higher proportion of parents to obtain their first preference. A sustainable long term solution within the local area will provide enhanced educational provision.</p>
<p><b>5. How are you testing your assumptions about the benefits?</b></p>	<p>Kirton Primary School is a popular school and it has been consistently oversubscribed in recent years. The Headteacher and Governing Body are in full support of the proposal. The allocation of school places by means of the co-ordinated scheme implemented by the School Admissions team at subsequent intakes will confirm whether there are sufficient places for children in the area and provide data as to the percentage of parents receiving their first or other preference. Inspections and the work undertaken by Ofsted will monitor the quality of education provided.</p>
<p><b>6. What are the assumptions about any adverse impacts?</b> Could it have a negative effect on anyone?</p>	<p>Yes</p>
<p><b>6.1 Which groups/individuals could it have a negative impact on?</b></p>	<p>The expansion proposal could have a negative impact on local residents within the area around the school eg issues of access and parking but this should not be significant as many of the additional pupils will live close to the school site and within a suitable walking or cycling distance from the school. The LA is committed to promoting the use of sustainable travel and transport to school and this would be reflected in the implementation of the school travel plan. There may also be the potential for a short term negative impact on the local residents when the building work takes place. However, this minor potential negative impact is far outweighed by the resulting positive solution.</p>



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<p>6.2 How could it have a negative impact on these groups/individuals? Please refer to the list of protected characteristics to assist your answer</p>	<p>For residents - There may be concerns over access and car parking availability around the school site together with some potential impact of increased noise during building work. Under the Equality Act 2010 the LA must take steps to meet the needs of persons sharing a protected characteristic as being different to the needs of persons who do not share it. Currently the school meets this requirement by careful management of all their pupils and their individual needs and will continue to do so during the period that the expansion work is undertaken.</p>
<p>7. How are you testing your assumptions about adverse impacts?</p>	<p>The majority of response forms were submitted by teachers and school staff (24 out of 35); 6 were received from parents with the remainder from the governors at the school, Headteacher of a neighbouring school, Kirton Parish Council, a pre-school group and a local employer. All of the total of 35 responses were in favour of the expansion proposal. Staff meetings were held to discuss the proposal and parents and interested parties were given the opportunity to discuss their concerns at one to one appointments but none were taken up. The Headteacher and staff thoroughly discussed the proposal with current pupils through the school council followed up by classroom discussions in circle time.</p>
<p>7.1 What further evidence do you need to gather?</p>	<p>A further opportunity for any interested party to submit comments and concerns was made available in the Representation Period ie the 4 weeks commencing with the publication of the Statutory Notice. During this period no responses were submitted. The statutory guidelines with regard to who and how to consult and the appropriate length of consultation have all been met to enable the decision maker to make the final decision.</p>
<p>8. Who are the stakeholders and how will they be affected?</p>	<p><b>Primary</b> (those directly affected, either positively or negatively by the organisation's actions)</p> <p>(1) Parents/carers and their children - will be assured that their educational needs are being met. (2) School Staff - less potential overcrowding at schools relieving pressure on school staff and therefore enhancing the quality of education provided. (3) The Council - this will ensure that the Council is meeting its statutory obligations; will ensure value for money reducing home to school transport and also that the needs of the Community are being met in that local children will be able to attend their local school.</p>
<p>9. How are you assessing the risks and minimising adverse impacts?</p>	<p><b>Secondary</b> (intermediaries, people or organisations who are indirectly affected by the organisation's actions)</p> <p>Potential negative impact for local residents - the LA understands the potential for impact caused by the building work and will work to mitigate this should any negative impact arise.</p> <p>As required a stakeholder engagement group will be formed to as part of the capital process to consider the impact of the ongoing project should the proposal to relocate and expand be approved</p>
<p>10. What changes will the Council need to make as a result of introducing the policy / project / service etc?</p>	<p>There will be no changes to any LCC policy or procedures. Building work will be undertaken at the school to enable the expansion of the capacity of the school to meet local primary demand.</p>

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<p><b>11. How will you undertake evaluation once the changes have been implemented?</b></p>	<p>The number on roll will be reviewed together with the available capacity and projected demand for places in Kirton and the surrounding area which will enable evaluation of both the need for places and also data on how the offer of places has met parental preference.</p>		
<p><b>Further Details</b></p>			
<p><b>Are you handling personal data?</b></p>	<p>Yes</p>	<p>If yes, please give details</p>	<p>consultation responses incorporated name and address of respondent but these details will remain confidential.</p>
<p><b>How was this analysis undertaken? Facilitated workshop? Who attended?</b></p>	<p>Details of the proposal and response forms were sent to a wide range of interested parties in line with statutory guidance, and details were also made available on the Council's website. All responses were recorded and analysed to be taken into consideration by the decision maker. Personal appointments were also offered at the school to interested parties for further discussion.</p>		
<p><b>Are you confident that everyone who should have been involved in producing this version of the Impact Analysis has been?</b></p>	<p>Yes</p>	<p>If No, who needs to be involved?</p>	
<p><b>If this is new, or requires a decision by Councillors to revise, has this impact analysis been included with the committee report?</b></p>	<p>Yes</p>	<p>If No, why?</p>	
<p><b>Actions required</b> Including any actions that have been identified in this analysis for monitoring in the service area workplan?</p>	<p>No</p>	<p>Action N/A</p>	<p>Lead Officer N/A</p> <p>Timescale N/A</p>
<p><b>Signed off by</b></p>	<p>Michelle Andrews</p>		<p><b>Date</b> 14-May-13</p>

**Open Report on behalf of Debbie Barnes, Director of Children's Services**

Report to:	<b>Children and Young People Scrutiny Committee</b>
Date:	<b>14 June 2013</b>
Subject:	<b>Proposal to expand Coningsby St Michael's Church of England Primary School (final decision)</b>

**Summary:**

This report invites the Children and Young People Scrutiny Committee to consider a report on the proposal to expand Coningsby St Michael's Church of England Primary School (final decision) which is due to be considered by the Executive Councillor for Adult Care, Health Services and Children's Services on 28 June 2013. The views of the Scrutiny Committee will be reported to the Executive Councillor as part of her consideration of this item.

**Actions Required:**

- (1) To consider the attached report and to determine whether the Committee supports the recommendation to the Executive Councillor for Adult Care, Health Services and Children's Services set out in the report.
- (2) To agree any additional comments to be passed to the Executive Councillor for Adult Care, Health Services and Children's Services in relation to this item.

## **1. Background**

The Executive Councillor for Adult Care, Health Services and Children's Services is due to consider the report on the proposal to expand Coningsby St Michael's Church of England Primary School (final decision). The full report to the Executive Councillor is attached at Appendix 1 to this report.

## **2. Conclusion**

Following consideration of the attached report, the Committee is requested to consider whether it supports the recommendation in the report and whether it wishes to make any additional comments to the Executive Councillor for Adult Care, Health Services and Children's Services. The Committee's views will be reported to the Executive Councillor.

### 3. Consultation

#### a) Policy Proofing Actions Required

Not applicable

### 4. Appendices

These are listed below and attached at the back of the report	
Appendix 1	Report and Appendices to the Executive Councillor for Adult Care, Health Services and Children's Services on Proposal to expand Coningsby St Michael's Church of England Primary School (final decision)

### 5. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Michelle Andrews, who can be contacted on 01522 553269 or [Michelle.andrews@lincolnshire.gov.uk](mailto:Michelle.andrews@lincolnshire.gov.uk) .

**Open Report on behalf of Debbie Barnes, Executive Director of Children's Services**

Report to:	<b>Councillor Mrs P A Bradwell, Executive Councillor for Adult Care, Health Services and Children's Services</b>
Date:	<b>28 June 2013</b>
Subject:	<b>Proposal to expand Coningsby St Michael's Church of England Primary School (final decision)</b>
Decision Reference:	<b>02142</b>
Key decision?	<b>Yes</b>

**Summary:**

The proposal under consideration is to expand Coningsby St Michael's Church of England Primary School to ensure that there are enough primary school places in Coningsby and the surrounding area to accommodate the increasing pupil numbers in the area. The proposed implementation date is 1 September 2014.

It is the Local Authority's (LA) statutory duty to ensure that there are sufficient school places to accommodate all pupils of statutory school age in Lincolnshire. The LA believes that this proposal is the best available option to address the increasing pressure on primary school places in the area.

The LA has co-ordinated the process following statutory guidelines (see the Department for Education (DfE) guide "Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form" in Appendix A) in accordance with the terms of the Education and Inspections Act (EIA) 2006 as updated by the Education Act 2011. Consultation commenced on 21 January 2013 with a four week period of consultation which closed on 18 February 2013 after which the decision was taken on 19 March 2013 to publish a Statutory Notice on 3 April 2013. This initiated a four week Representation Period up to 1 May 2013 when written objections and comments may be submitted. The process is now entering the final stage when the LA, as decision maker, must take the final decision regarding the proposal.

This report seeks to advise the Executive Councillor on making the final decision regarding the proposed expansion of Coningsby St Michael's Church of England Primary School.

**Recommendation(s):**

That following the completion of the statutory process, in accordance with current legislation, the Executive Councillor for Children's Services and Lifelong Learning is recommended to take the final decision to approve the expansion of Coningsby St Michael's Church of England Primary School with effect from 1

September 2014 as detailed in this report.

It has also been agreed that the capacity at Tattershall Holy Trinity Church of England Primary School is expanded as detailed later in this report. This increase has been suggested and agreed as a result of the consultation responses received but is not a large enough expansion to necessitate, and can be implemented without, a formal statutory process.

**Alternatives Considered:**

1. That the proposal to expand Coningsby St Michael's Church of England Primary School is rejected and the council retains the school as it currently is with consequently no increase in the number of school places in the area.

However, the above alternative would have the following disadvantages:

There would be insufficient available primary school places in Coningsby and the surrounding area and the LA would be unable to comply with its statutory duty to ensure that there are sufficient school places for children of a statutory school age in the locality in future years.

It would place increasing pressures on St Michael's Primary School and the primary schools in Tattershall and surrounding area, where the numbers on roll are already at capacity at more than one of the schools in several year groups, leading to concerns over the consequent impact of overcrowding on the quality of education provided.

The school admitted above their usual intake in 2010, 2011 and 2012 by offering up to 50 places in Reception and the LA has asked the school to over offer again in 2013. This has been made possible by the school making maximum use of all available accommodation and a mobile classroom being provided. Without the provision of additional accommodation this may lead to either overcrowding or a further mobile classroom (subject to planning approval) with insufficient infrastructure for the number of pupils being accommodated at the school.

It would likely lead to children being offered places at villages outside of Coningsby and Tattershall, with increasing transport costs and potential increased car usage and also concerns over the impact of this additional travelling time on the children concerned.

2. That the proposal to expand Coningsby St Michael's Church of England Primary School is rejected and the council retains the school as it currently is but looks to increase capacity at other primary schools in the surrounding area.

Other options in this area have been explored and all primary schools

have been considered for potential expansion but none have been found to be as suitable to expand on this scale due to reasons such as undersized sites, distance that pupils would have to travel, parental preference, impact on standards and the fact that other schools are of suitable sizes for the areas they serve. An expansion of Tattershall Holy Trinity Church of England Primary School is being progressed in addition to the proposal to expand St Michael's Primary School following feedback received during this consultation process. The proposal to expand St Michael's has the support of the Headteacher and Governing Body. The LA believes that St Michael's Primary School is the most appropriate primary school in the area for an expansion of this size.

**Reasons for Recommendation:**

- To enable the LA to meet its statutory obligation to ensure that there are sufficient school places in Coningsby and surrounding area for all children of statutory school age.
- To ensure that the provision of school places is planned so as to promote high educational standards, enable fair access to educational opportunity for every child and promote the fulfilment of each child's potential. The County Council believes that this proposal reinforces the priorities in the Children and Young People's Plan (CYPP) and provides the best solution to meeting the long term educational and social needs of the children in the area to ensure that children have the best possible chance of fulfilling their potential. This proposal will both enhance the quality of local provision and sustain local provision.
- The proposal will assist in meeting parental preference. The Government has made it clear that the wishes of parents should be taken into account in planning and managing school estates. DfE guidance states that places should be allocated where parents want them and that successful and popular schools be allowed to grow.
- To avoid overcrowding as this would likely lead to a negative impact on the quality of education provided.
- To avoid increased transport costs, the negative impact of extra travelling time on children and extra car usage which would be likely to follow if it were necessary for children to take up school places in the villages outside of Coningsby and Tattershall.
- Officers have already investigated the potential alternatives. Following consideration of the area, the existing schools and the increasing pressure on primary school places the LA considers the proposal to expand St Michael's Primary School to be the best available solution to meet the needs of the local children and parents with the resources available and to address the expected shortage of primary school places in Coningsby and the surrounding area.

## 1. Background

National birth rates, mostly concentrated in more urban areas, have been steadily rising in recent years. This increased birth rate, combined in some areas with inward migration and housing development, is now starting to have an impact at primary school age putting significant pressure on primary schools across the country where there is a shortage of Reception places. Coningsby and the surrounding area will experience a shortage of available places if capacity at one of the local schools is not increased. There is also an added pressure from RAF families in this area. The LA work with the RAF Community Development officers to ensure that quantitative information is taken into consideration when determining long term primary and secondary provision requirements in RAF areas.

The school has admitted above the usual intake of 40 to provide up to 50 Reception places in recent years by making maximum use of all available accommodation and using a temporary classroom. The LA has asked the school to over offer again for the Reception intake in September 2013 should the demand for places be greater than the 40 places available under the Published Admission Number (PAN). Tattershall Holy Trinity and Tattershall Primary schools have also both offered above their PANs for September 2013. Beyond this year it will not be possible to meet the growing demand for school places without additional accommodation

The proposal being consulted on is to permanently expand Coningsby St Michael's Church of England Primary School from the existing capacity of 280 places based on a PAN of 40 to 420 places (PAN 60), with a proposed implementation date of September 2014. This would increase the PAN initially for the Reception intake in September 2014 with the PAN for all other years remaining at 40. The increased intake to 60 would then be phased in with each subsequent Reception intake until the PAN of 60 applies to all year groups. This phased approach will allow the school to effectively manage staffing and teaching structures and help to ensure that pupil numbers at other local schools will be maintained.

The total number on roll at the time of the census taken in January 2013 was 277. The table below shows the number currently on roll and also shows the offers of places in Reception for September 2013 and potential intake numbers for September 2014 and 2015 based on NHS GP registration data and historical trends. The published admissions number per year group is currently 40 with a permanent capacity of 280:

	2015	2014	2013	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
Number on Roll	65	71	42	44	48	48	33	40	37	27	277

Data from January 2013 Census and NHS GP Registration trend analysis

The following table shows the population by school age for Coningsby and Tattershall according to the latest NHS GP registration data. This is the natural catchment area for the local schools and clearly demonstrates the increase in future primary pupil numbers in the local area. It does not take into account future



housing developments in the area (mostly concentrated in Coningsby) or the high mobility of RAF families.

Intake Year/Current Year Group	2016 Rec' Intake	2015 Rec' Intake	2014 Rec' Intake	2013 Rec' Intake	Current Rec'	Current Y1	Current Y2	Current Y3	Current Y4	Current Y5	Current Y6
Age as at 31 August 2012	0	1	2	3	4	5	6	7	8	9	10
<b>Area Total</b>	<b>89</b>	<b>97</b>	<b>96</b>	<b>87</b>	<b>77</b>	<b>81</b>	<b>83</b>	<b>76</b>	<b>70</b>	<b>58</b>	<b>53</b>

Data from NHS GP Registrations as at April 2013

There is expected to be a long term requirement for more places. A permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting 4 year old children to alternative schools outside of their local community.

Having additional classes and more children on roll at the school will also have financial benefits for the school. This may potentially provide the opportunity to enhance teaching provision and career opportunities for staff which in turn will benefit the learning experience of the children.

Following statutory consultation, if the expansion proposal is approved, it is proposed that building work to add necessary additional accommodation will begin during the academic year 2013/14 (subject to planning permission being granted) and planned to be completed in readiness for the start of term in September 2014. This would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible.

Please note that the planning application process is dealt with and consulted on separately and there will be opportunity for those that are interested to be involved throughout the planning process.

### **Reaching the decision – Preliminary Considerations**

The requirements for decision making relating to the expansion of maintained mainstream schools are set out in the guide “Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form” published by the DfE. A copy is attached as Appendix A.

The guide sets out certain checks that the decision maker should follow before proceeding to take a decision. These are addressed below:

- (i) Is any information missing? It is considered that there is no information missing and that the Executive Councillor has before her the information that is required to enable a decision to be reached.
- (ii) Is the proposal related to other published proposals? The answer to this is no.
- (iii) Do the published notices comply with statutory requirements and has the statutory consultation been carried out prior to the publication of the notices? The statutory notice was published in accordance with section 19(1) of the

EIA 2006. Consultation must, and has, included all parties specified within the relevant sections of the EIA 2006 including children, staff, parents/carers, the Diocese and other interested parties listed in Appendix B.

### **Factors to be considered by Decision Makers**

In reaching a decision the Executive Councillor must have regard to statutory guidance issued by the Secretary of State as detailed in the attached guide in Appendix A and referred to in the following paragraphs. The Complete Proposal (attached as Appendix C) also includes information which must be considered together with feedback from consultees received throughout the entire process.

#### *A System Shaped by Parents*

The Government's aim is to create a schools system shaped by parents which delivers excellence and equity by implementing a dynamic system in which weak schools that need to be closed are closed quickly and replaced by new ones where necessary and the best schools are able to expand and spread their ethos and success.

The Executive Councillor must take into account the extent to which the proposal is consistent with the LA's duty to respond to representations from parents about the provision of schools. There were no submissions received from parents in the Representation Period. There were 66 written valid responses received in the consultation period. Out of this total of 66 responses 10 were received from parents of current pupils with only 2 against the proposal. (Summary of responses attached as Appendix D)

Coningsby St Michael's Church of England Primary School is a popular school which is consistently oversubscribed as indicated by the numbers of first and second preference applications received (60 in 2010, 59 in 2011, and 53 in 2012) for the 40 places available in the Reception class. 42 offers have been made for places in Reception in September 2013. The most recent Ofsted report published for the school follows an inspection in November 2012 which states that "*most parents and carers are happy with the education their children receive. However, a small minority expressed concerns about the school's communication with them and felt they were not kept well informed about their children's progress. Inspectors found that the school is now communicating more regularly with parents and carers so that they understand and welcome the necessary changes to push forward achievement*"

The LA has, therefore, put forward the current proposal as the best and preferred option to meet these criteria.

#### *Standards*

The Executive Councillor should be satisfied that the proposal will contribute to raising local standards of provision and will lead to improved attainment for children

and young people paying particular attention to the effect on groups that under-perform with the aim of narrowing attainment gaps.

The Ofsted report, following the inspection in 2012, rated the pupils' achievement as "requires improvement" noting that there has been some underachievement in the past. However, the report also stated as follows. *"This is a rapidly improving school. Although in the past, pupils did not make enough progress, they are now catching up"* and *"Progress in all year groups has improved this term because of the stronger focus on improving the quality of teaching and pupils' learning"* Six year olds who took the recent phonics test gained better results than pupils nationally and the 2012 test and assessment results in reading at the end of Key Stage 1 were also above average.

With the support and advice of the School Improvement Service (CfBT), the LA believes that this proposal is the best option to maintain and improve standards of attainment and promote the fulfilment of each child's potential. It will also alleviate pressures on teaching staff which may otherwise be caused by increasing numbers on roll and overcrowded classrooms so avoiding any consequent negative impact on the quality of teaching.

#### *Diversity*

The Government's aim is to create a more diverse school system offering excellence and choice so that every child receives an excellent education whatever their background and wherever they live. The Executive Councillor should consider how the proposal will affect local diversity taking account of the range of schools in the area and the impact on the aspirations of parents, and whether the proposal will help raise local standards and narrow attainment gaps. The LA believes that this proposal will maintain and also be likely lead to both improved standards and an enhanced quality of education for current and future children in the area whilst maintaining diversity.

#### *Every Child Achieving their Potential*

The Executive Councillor should consider how the proposal will help every child and young person achieve their potential. The LA believes that the proposal will meet this criterion by not only maintaining the range of extended services, the opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs (eg looked after children or children with special educational needs and disabilities) but also by providing the platform for these to improve.

#### *Equal Opportunity Issues*

The Executive Councillor should consider whether there are any sex, race or disability discrimination issues that arise out of the proposed expansion. There needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area while ensuring that such opportunities are open to all. There are no sex, race or disability discrimination issues arising

from this proposal. The LA will continue to be committed to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area while ensuring that such opportunities are open to all.

*Need for Places – Creating Additional Places and the Expansion of Successful and Popular Schools*

When considering a proposal to expand an existing school the Executive Councillor should consider whether there is a need for expansion and take care not to create unnecessary surplus capacity. As detailed above Coningsby and the surrounding area is one of the pressure points in Lincolnshire where there will be a shortage of available places if capacity is not increased. As detailed earlier in the "Background" section of this report NHS birth data for the area indicate the projected need for places and there is expected to be a long term requirement for more primary school places than the number of places currently available. This proposal is being put forward as a solution to the increasing demand for places for local children in Coningsby and Tattershall and it is not anticipated that it will have any adverse impact on the demand for places at other primary schools which will continue to offer places for the children within their own localities. The LA has a vital role in ensuring the viability and sustainability of all schools within Lincolnshire and not to create any excess surplus capacity which would be detrimental to an existing school or Academy.

The Government is committed to ensuring that every parent can choose an excellent school for their child and therefore the wishes of parents should be taken into account in the planning and management of school estates. There is a presumption that proposals to expand successful and popular schools should be approved and only be turned down if there is compelling objective evidence that such expansion would have a damaging effect on standards overall in the area. The LA believes that not only will there be no damaging effect on standards but that this proposal will provide the platform for standards to improve.

As detailed above the majority of parents confirmed that they were happy with the education that their child receives at the school and the school is popular with parents and consistently oversubscribed.

Before approving the proposal the LA must ensure that the admission arrangements of the schools will fully meet the provisions of the School Admissions Code. The proposed increase to the PAN at the school will be processed in accordance with the School Admissions Code to determine admission arrangements for the academic year commencing September 2014.

*Travel and Accessibility for All*

The Executive Councillor should be satisfied that facilities are accessible by being located close to those who will use them and that proposed changes do not adversely impact on disadvantaged groups. Proposals should not have the effect of unreasonably extending journey times or increasing transport costs or result in too many children being prevented from travelling sustainably due to unsuitable routes. The proposal should be considered on the basis of how it will support and

contribute to the Council's duty to promote the use of sustainable travel and transport to school. If this proposal goes ahead it should reduce the likelihood of local children having to travel to schools outside of their village and therefore assist the Council to meet this duty.

The LA understands that an increase in the number of pupils attending a school may have an impact on the local road network and access and concerns have been raised by local residents and the Town Council. However, the majority of additional pupils are likely to come from within a suitable walking or cycling distance from the school. The LA is committed to promoting the use of sustainable travel and transport to school and this would be reflected in the implementation of the school travel plan. However, should the proposal go ahead, all traffic issues will be considered in the planning application process. As part of this process any planning queries will be dealt with through a separate planning consultation and the LA would have to meet stringent requirements at the planning application stage.

The County Council home-to-school transport policy will continue to apply – this provides free home-to-school transport for pupils to their nearest designated school (if it is more than 2 miles away for primary aged pupils) but it is expected that most pupils will live within a two mile radius of the school.

#### *Funding and Land*

For any expansion proposals the Executive Councillor should be satisfied that any land, premises or capital required to implement the proposals will be available. The project is included in the 2012/2014 Capital Programme therefore, should this proposal to expand be approved, capital investment will be provided and any revenue implications will be financed by the Dedicated Schools Grant.

The impact of an expansion proposal on a school premises must be considered in the light of the requirements of The Education (School Premises) Regulations 1999 including recommended minimum site size and minimum areas of team playing fields to which the school should have access. Land has been made available from the housing association to increase the overall site size of the school, for which there is now a lease in place. Although this increases the overall site it is not suitable for team games. However the area for the proposed new construction is not used for sporting activities and therefore will not impact on the area available for designated team games. Currently at Coningsby St Michael's Church of England Primary School the area for playing team games is already less than that recommended, and additional pupils on the site would put more pressure on the available outdoor space. To compensate for this the school have access to the Allan Barker Recreation Ground which is directly adjacent to the school and comprises a Multi-Use Games Area (MUGA) and playing field. The school currently uses these facilities for PE, games and extra-curricular activities and a formal agreement is being put in place as part of the expansion proposal.

### *Special Educational Needs (SEN) Provision*

The Executive Councillor should consider the impact of the proposal on the Special Educational Needs provision taking into consideration statutory guidance and be assured that the proposal is designed to improve on existing arrangements and enable all children to fulfil their potential.

The following key factors must be considered in order to meet the requirement to demonstrate likely improvements in provision:

- a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
- b) improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
- c) improved access to suitable accommodation; and
- d) improved supply of suitable places.

If the expansion proposal is approved there is likely to be no impact with regard to SEN provision other than an opportunity to improve the provision at the school during the expansion work. The LA will continue to ensure suitable provision for all children with special educational needs and consideration of their needs will take place with physical access being assured should a need be presented. The LA will continue to look to make improvements in the standard, quality and/or range of the education provision for children with SEN and so meet the Special Educational Needs Test.

### *Views of Interested Parties*

The Executive Councillor should consider the views of all those affected by, or who have an interest in, the proposal. This includes statutory objections and comments submitted during both the consultation phase and the Representation Period. The Executive Councillor should not simply take account of the numbers of people expressing a particular view when considering representations made but should give the greatest weight to representations from those stakeholders most likely to be directly affected by the proposal. All representations, especially from the direct stakeholders, must be considered by the Executive Councillor in relation to this proposal prior to the decision being taken.

All responses to the consultation period have been received and made available to the Executive Councillor (in Appendix D) and are also referred to later in the Consultation section of this report. A summary of the responses from current pupils is also attached as Appendix E. There were 4 responses received in the Representation Period which all raised concerns regarding car parking and access and the impact of the additional traffic arising out of the increased pupil numbers. Should this proposal go ahead all such issues will be considered in the separate planning application process and the LA would have to meet stringent requirements at this stage.

## *The Decision*

In considering the proposal the Executive Councillor can

- reject the proposal
- approve the proposal
- approve the proposal with a modification (e.g. the implementation date) or
- approve the proposal subject to meeting a specific condition

It is not recommended that the Executive Councillor lays down any specific conditions and therefore the 'Alternatives Considered' section at the start of this report simply deals with the rejection or approval of the proposal.

Reasons must be given for the decision taken including the main factors and criteria whether the proposal is accepted or rejected.

## **2. Conclusion**

The final decision is required from the Executive Councillor to determine whether to approve the expansion of Coningsby St Michael's Church of England Primary School as detailed in this report with an implementation date of 1 September 2014. The factors to consider in making this decision are within this report and all valid written responses received during consultation must be considered (summarised in Appendices D and E).

The LA believes this proposal to be in the best interests of local children and local parents as well as educational provision in the area and it supports the council's aim of ensuring that as many children as possible can reach their full potential. It also enables the LA to fulfil its statutory duty of ensuring that there are sufficient places to accommodate all pupils of statutory school age in Lincolnshire.

It is recommended that the proposal be implemented to ensure the best educational opportunities for the children of Coningsby and surrounding area. The advantages of implementing this proposal are detailed earlier in this report in the "Reasons for Recommendations" section.

**3. Legal Comments:** The legal implications to be taken into account in the making of this decision, which is within the remit of the Executive Councillor, are fully set out in this report.

**4. Resource Comments:** A decision to expand the capacity at Coningsby St Michael's Church of England Primary School with effect from 1 September 2014 will require funding from the 'basic need' element of the capital programme. Any on-going revenue costs will be funded from the Dedicated Schools Grant.

## 5. Consultation

In order for the school to expand the LA must follow the necessary statutory legal processes as required by the Secretary of State in accordance with the EIA 2006, the Education Act 2011 and the guidance of the DfE regarding expansion (Appendix A)

Under these guidelines the LA must ensure that sufficient time and information are provided for people to understand and form a view on the proposal and make a response. The consultation documentation must set out the problem that is being addressed and invite comment on one or more solutions. The LA must explain the decision making process and take all reasonable steps to draw the consultation to the attention of all those who might be interested and take into account their views.

The Education Act 2002 states the requirement for current pupils to be consulted and this was further extended by subsequent legislation to also include all pre-school children over the age of 3. The Headteacher arranged for consultation to take place with the children currently attending the school through the school council. The consultation produced a very positive response and the children are generally looking forward to the expansion of the school. A summary of the consultation undertaken by the school council is attached as Appendix E. The EIA 2006 specifically includes as interested parties the registered parents of registered pupils at the school and also the appropriate District and Parish Councils for the area. The list of interested parties was compiled according to statutory guidelines comprising as wide a range of consultees as practicable and including parents, the Chief Executive of the District Council, the Parish Clerks of local Parish Councils as well as individual councillors as appropriate.

A letter, (Appendix F) incorporating relevant information and reasons for the proposal, was sent out to interested parties (listed in Appendix B) on 21 January 2013 to commence a four week period of consultation. Individual meetings were offered to anyone interested to meet with representatives of the LA at the school to ask questions and raise any concerns. Several appointments were taken up, mainly by parents of current pupils, where concerns about expanding the school were addressed and all consultees were encouraged to submit a formal response to the consultation. There was the opportunity to provide a response to the consultation by letter, email or by returning the response form (Appendix G) attached to the consultation document by 18 February 2013. Copies of the letter commencing consultation and the response form were also published on the County Council website under the webpage Current Consultations on [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning)

The written responses received during consultation have been provided to the Executive Councillor for consideration and further details are confirmed in this report in Appendix D. To briefly summarise, however, there were 66 valid responses in total with 11 supporting the proposal, 48 against and 7 neither for nor against the proposal but wishing to raise points for consideration. Out of the total of 66 there were 10 responses from parents of current pupils with only 2 against. Responses were also received from governors and members of staff at the school all of which were in favour of the expansion proposal. The majority of the



responses against the proposed expansion have been received from governors, staff and parents representing other schools in the area. (Tattershall Primary School, Holy Trinity C of E Primary School, Mareham-le-Fen C of E Primary School and Kirkby-on-Bain C of E Primary School). Some of these responses have questioned whether there is a need for additional school places in this area and a significant number are against the proposal as they believe that it will have a negative impact on the number on roll at other schools, even possibly leading to the closure of a school in the area. However, the expansion is required to meet the projected demand for places and ensure that the LA meets its duty of providing sufficient places for children of statutory school age. The expansion is proposed to meet the need for additional capacity and not to replace existing capacity in the primary sector. The proposal under consideration was prepared based on data and projection figures that were currently available. This earlier evidence of the need to increase the capacity in the primary sector has been confirmed by updated figures recently released by the NHS since the start of this consultation process. (Please see table earlier in the "Background" section of this report)

Following the completion of the consultation period all feedback was considered with a full report (which is referred to in the Background Papers section below and will also be re-considered along with this report) by the Executive Councillor and a decision was taken on 19 March to proceed to Statutory Notice. A statutory 4 week Representation Period was entered into on 3 April 2013 commencing with the publication of the Statutory Notice (Appendix H) in the local press, at the school gates and within the local community. The Complete Proposal, available in paper and electronic format (Appendix C) to which the Statutory Notice refers, was sent to interested parties as detailed in the statutory guidance and was also published on the website [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning). The Representation Period provides a further opportunity for people and organisations to express their views and ensure that they are taken into account when the final decision is taken. There were 4 responses received in the Representation Period which, as confirmed above, all raised concerns regarding car parking and access and the impact of the additional traffic arising out of the increased pupil numbers.

As a result of the feedback received from local councillors and residents during the consultation and representation periods of the process it is proposed that the capacity at Holy Trinity Church of England School in Tattershall will also be increased in addition to the expansion at St Michael's Church of England Primary School to meet the needs of both Tattershall and Coningsby residents. This will involve the use of one additional classroom at Holy Trinity enabling the PAN to be increased from 16 to 20 (28 additional places in total) with an implementation date of September 2014. The increased PAN will initially apply to Reception only and then be phased in with each subsequent Reception intake until the PAN of 20 applies to all year groups. If further expansion is required in the future in this area the LA will consider all available options including expansion at Tattershall Primary School and the feasibility of any additional expansion at Holy Trinity and St Michael's.

Under current legislation the LA is the decision maker for the proposal and is co-ordinating the statutory process before making a decision at the end of the process in June 2013. The LA, as decision maker, must be able to show that all relevant

issues raised are taken into consideration in the decision making process. Points raised can be considered unpersuasive but must not be ignored altogether.

The last stage of the statutory process would be the implementation of the proposal with the expansion of Coningsby St Michael's Church of England Primary School with effect from 1 September 2014 if it is decided to proceed.

Information regarding this proposal has been updated and made available through the County Council website since official consultation began on 21 January 2013. The local and district councillors have been involved in the consultation on this proposal and the Executive Councillor for Children's Services and Lifelong Learning has been engaged throughout the entire process.

**a) Has Local Member Been Consulted?**

Yes, the local member has been made aware of the proposal to expand Coningsby St Michael's Church of England Primary School.

**b) Has Executive Councillor Been Consulted?**

Yes, the Executive Councillor has been involved in the discussions regarding the proposal to expand Coningsby St Michael's Church of England Primary School.

**c) Scrutiny Comments**

The Children and Young People Scrutiny Committee considered the expansion proposal at its meeting on 14 June 2013. Comments from this meeting are included below to inform the Executive Councillor when making her final decision which is due to be taken on 28 June 2013:-

**d) Policy Proofing Actions Required**

An Impact Analysis has been completed and is attached in full as Appendix I. In summary the analysis undertaken indicates that there is some potential for minor negative impact but that this is far outweighed by the benefits of the proposal. The LA would look to mitigate negative impact on the local road network and access and address any other concerns that potentially might arise out of this expansion proposal. The stringent requirements at the planning application stage would include the active involvement of the Highways Department as well as a detailed travel plan.

Apart from its obligations to consider the statutory guidance referred to the Council has obligations under the Equality Act 2010 which must be taken into account by the Executive Councillor when coming to a decision.

The Council must, in the exercise of its functions, have due regard to the need to:

(1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;

(2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 s 149(1). The relevant protected characteristics are age; disability; gender reassignment; pregnancy & maternity; race; religion or belief; sex; sexual orientation: s 149(7).

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it.

The Council believes that this proposal will not lead to any discrimination and that in recommending the proposal the Council is having due regard to its obligations under The Equality Act.

## 6. Appendices

These are listed below and attached at the back of the report	
Appendix A	DfE guide "Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form"
Appendix B	List of Interested Parties
Appendix C	Complete Proposal
Appendix D	Summary of written consultation responses
Appendix E	Summary of pupils' consultation responses
Appendix F	Letter to commence consultation
Appendix G	Consultation response form
Appendix H	Statutory Notice
Appendix I	Impact Analysis

## 7. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Proposal to expand Coningsby St Michael's Church of England Primary School (decision to go to Statutory Notice)	Lincolnshire County Council Committee Records Reference 02141 19 March 2013

This report was written by Michelle Andrews, who can be contacted on 01522 553269 or [michelle.andrews@lincolnshire.gov.uk](mailto:michelle.andrews@lincolnshire.gov.uk).

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## APPENDIX B Interested Parties list for consultation on proposed expansion of Coningsby St Michael's Church of England Primary School

Interested Party	Name	Contact Details
Message on Int Comms		
Details on LCC website		
Details on George		
Leader of Council	Cllr Hill	<a href="mailto:cllr.hill@lincolnshire.gov.uk">cllr.hill@lincolnshire.gov.uk</a>
Executive Councillor	Cllr Mrs P Bradwell & Cllr Brailsford	<a href="mailto:cllr.p.bradwell@lincolnshire.gov.uk">cllr.p.bradwell@lincolnshire.gov.uk</a> <a href="mailto:CllrD.Brailsford@lincolnshire.gov.uk">CllrD.Brailsford@lincolnshire.gov.uk</a>
Chief Property Officer	Kevin Kendall	<a href="mailto:Kevin.Kendall@lincolnshire.gov.uk">Kevin.Kendall@lincolnshire.gov.uk</a>
Property Manager Operations	Jim Hogg	<a href="mailto:jim.hogg@lincolnshire.gov.uk">jim.hogg@lincolnshire.gov.uk</a>
LCC Chief Execs office- DMT/SMT/Management Board	Copy to Kathy White as the Director's PA and ask her to forward to DB/MT and appropriate Senior Officers NB Relevant Councillors are being notified separately by us.	<a href="mailto:Kathy.White@lincolnshire.gov.uk">Kathy.White@lincolnshire.gov.uk</a>
CfBT	Andy Breckon	<a href="mailto:Andy.breckon@cfbt.com">Andy.breckon@cfbt.com</a>
CfBT primary	Tim Culpin & John Sandfield	<a href="mailto:jsandfield@cfbt.com">jsandfield@cfbt.com</a> ; <a href="mailto:tculpin@cfbt.com">tculpin@cfbt.com</a>
CfBT secondary	Fred Morris, Keith Batty	<a href="mailto:kbatty@cfbt.com">kbatty@cfbt.com</a> ; <a href="mailto:fmorris@cfbt.com">fmorris@cfbt.com</a>
CfBT strategic projects incl SEN	Paul Snook	<a href="mailto:psnook@cfbt.com">psnook@cfbt.com</a>
School Administration	Adrian Flowers	<a href="mailto:Adrian.Flowers@lincolnshire.gov.uk">Adrian.Flowers@lincolnshire.gov.uk</a>
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	Steph Douglas	<a href="mailto:steph.douglas@cfbt.com">steph.douglas@cfbt.com</a>
Inclusion and Attendance Service	Jill Chandar-Nair	<a href="mailto:Jill.Chandar-Nair@lincolnshire.gov.uk">Jill.Chandar-Nair@lincolnshire.gov.uk</a>
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	Cris Treacher	<a href="mailto:cris.treacher@lincolnshire.gov.uk">cris.treacher@lincolnshire.gov.uk</a>
<b>Chief Executive of East Lindsey District Council</b>	Interim is Stuart Davies as Nigel Howells has retired	<a href="mailto:customerservices@e-lindsey.gov.uk">customerservices@e-lindsey.gov.uk</a>
<b>County Councillors</b>	Cllr Mrs P Bradwell	
	Cllr Betty Harvey	
	Cllr Andrea Jenkyns	use contacts in outlook
	Cllr Denis Hoyes	
<b>District Councillors</b>	Ask Ann Good at member services ELDC to distribute	<a href="mailto:Committee.Admin@e-lindsey.gov.uk">Committee.Admin@e-lindsey.gov.uk</a>
<b>Parish Councils -areas surrounding Coningsby</b>	Coningsby	<a href="mailto:coningsbytowncouncil@gmail.com">coningsbytowncouncil@gmail.com</a>
	Tattershall/Tattershall Thorpe	<a href="mailto:tattershallthorpe@tiscali.co.uk">tattershallthorpe@tiscali.co.uk</a>
	Woodhall Spa	<a href="mailto:woodhallpc@tiscali.co.uk">woodhallpc@tiscali.co.uk</a>
	Dogdyke	<a href="mailto:kathvroberts101@gmail.com">kathvroberts101@gmail.com</a>
	Tumby	<a href="mailto:appleverd4xd@btinternet.com">appleverd4xd@btinternet.com</a>
	Wildmore	<a href="mailto:appleverd4xd@btinternet.com">appleverd4xd@btinternet.com</a>
	Holland Fen with Brothertoft	<a href="mailto:welbourn60@qooqlemail.com">welbourn60@qooqlemail.com</a>
	Thornton le Fen	<a href="mailto:potterquillie@aol.com">potterquillie@aol.com</a>
	Kirkby on Bain	Mr A Killingworth, Summer End, Main Road, Kirkby on Bain, Woodhall Spa LN10 6YT
	Haltham	Mr S Flood, Corner Farm, Main Road, Haltham, Horncastle LN9 6JE
		Mr M Effield, Taviton, Brewery Lane, Hundley, Spilsby PE23 4LH

	Revesby	Mrs S B Wiggins-Davies, Revesby Park House, Abbey Road, Revesby, nr Boston PE22 7NX
<b>MP</b>	Sir Peter Tapsell	<a href="mailto:ferriern@parliament.uk">ferriern@parliament.uk</a>
<b>European MPs</b>	Derek Clark MEP	<a href="mailto:mep@derekclarkmep.org.uk">mep@derekclarkmep.org.uk</a>
	Roger Helmer MEP	<a href="mailto:rogerhelmer@eastmidsmeps.co.uk">rogerhelmer@eastmidsmeps.co.uk</a>
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	Bill Newton Dunn MEP	<a href="mailto:info@eastmidslibdems.org.uk">info@eastmidslibdems.org.uk</a>
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	Charles Shaw chair of Lincolnshire Federation of Liberal Democrat Constituences	<a href="mailto:chair@lincslibdems.org.uk">chair@lincslibdems.org.uk</a> or <a href="mailto:drcwshaw@yahoo.co.uk">drcwshaw@yahoo.co.uk</a>
<b>Trade Unions</b>	Christine Toumi UNITE	<a href="mailto:christine.toumi@lincolnshire.gov.uk">christine.toumi@lincolnshire.gov.uk</a>
	Dave Roome	<a href="mailto:Dave.Roome@unitetheunion.org">Dave.Roome@unitetheunion.org</a>
	Mr K Rustidge Asst Sec Lincs Asscn of National Union of Teachers (NUT)	<a href="mailto:rustidgeks@aol.com">rustidgeks@aol.com</a>
	Helen Stokes Branch Sec UNISON	<a href="mailto:hstokes@lincunison.org.uk">hstokes@lincunison.org.uk</a>
	Mr C Todd Organiser of General, Municipal, Boilermakers Union (GMB)	<a href="mailto:colin.todd@gmb.org.uk">colin.todd@gmb.org.uk</a>
	Mr D Morgan Secretary National Asscn of Schoolmasters & Union of Women Teachers NASUWT)	<a href="mailto:david.morgan@nasuwt.net">david.morgan@nasuwt.net</a>
	Miss J Frost Branch Secretary Asscn of Teachers & Lecturers (ATL)	<a href="mailto:frost@lincs.atl.org.uk">frost@lincs.atl.org.uk</a>
	Mr J Gibbs County Secretary National Asscn of Head Teachers (NAHT)	<a href="mailto:jdgibbs@fsmail.net">jdgibbs@fsmail.net</a>
	Roger Hale Secretary Association of School & College Leaders (ASCL)	<a href="mailto:roger.hale@caistorgrammar.com">roger.hale@caistorgrammar.com</a>
	Mr S Payne Representative Union for Educational Professionals (VOICE)	<a href="mailto:stephenpavne@voicetheunion.org.uk">stephenpavne@voicetheunion.org.uk</a>
<b>Current Pupils at Coningsby St Michael's Church of England Primary School</b>	Kate Hodson	<a href="mailto:kate.hodson@coningsby-st-michaels.lincs.sch.uk">kate.hodson@coningsby-st-michaels.lincs.sch.uk</a>
<b>Parents/Carers at Coningsby St Michael's Church of England Primary School</b>	Kate Hodson	<a href="mailto:kate.hodson@coningsby-st-michaels.lincs.sch.uk">kate.hodson@coningsby-st-michaels.lincs.sch.uk</a>
<b>Headteacher and staff at Coningsby St Michael's Church of England Primary School</b>	Kate Hodson	<a href="mailto:kate.hodson@coningsby-st-michaels.lincs.sch.uk">kate.hodson@coningsby-st-michaels.lincs.sch.uk</a>
<b>Chair of Govs at Coningsby St Michael's Church of England Primary School</b>	Sean Westaway	<a href="mailto:seanwestaway@hotmail.co.uk">seanwestaway@hotmail.co.uk</a>
<b>Feeder Pre Schools</b>	jacdor	<a href="mailto:enquiries@jacdor224.wanadoo.co.uk">enquiries@jacdor224.wanadoo.co.uk</a>
	RAF Coningsby Nursery (Jill Proctor)	<a href="mailto:info@nurseryandkidsclub.co.uk">info@nurseryandkidsclub.co.uk</a>
<b>Head, staff, pupils &amp; parents at neighbouring secondary schools -</b>	Tattershall Gartree	<a href="mailto:admin@gartree.lincs.sch.uk">admin@gartree.lincs.sch.uk</a>
Email HT & ask to make aware staff, pupils and parents using noticeboard, website, emails, newsletters and any other methods of communication used by schools.	Horncastle Banovallum	<a href="mailto:admin@banovallumschool.co.uk">admin@banovallumschool.co.uk</a>
	Horncastle QEGS	<a href="mailto:enquiries@qegs.lincs.sch.uk">enquiries@qegs.lincs.sch.uk</a>
	Stickney William Lovell	<a href="mailto:william.lovell@stickney.lincs.sch.uk">william.lovell@stickney.lincs.sch.uk</a>
	Sleaford St George's	<a href="mailto:stga@st-georges.lincs.sch.uk">stga@st-georges.lincs.sch.uk</a>
	Kesteven and Sleaford High	<a href="mailto:enquiries@kshssa.co.uk">enquiries@kshssa.co.uk</a>
	Sleaford Carres	<a href="mailto:enquiries@carres.lincs.sch.uk">enquiries@carres.lincs.sch.uk</a>
<b>Chair of Govs of neighbouring secondary schools</b>	Tattershall Gartree	<a href="mailto:jude@sorted.net">jude@sorted.net</a>
	Horncastle Banovallum	<a href="mailto:wendy.ireland1@btinternet.com">wendy.ireland1@btinternet.com</a>

<b>Head, staff, pupils &amp; parents at neighbouring primary schools</b>	Tattershall Holy Trinity	<a href="mailto:enquiries@holyltrinity.lincs.sch.uk">enquiries@holyltrinity.lincs.sch.uk</a>
Email HTs & ask to make aware staff, pupils and parents using noticeboard, website, emails, newsletters and any other methods of communication used by schools.	Tattershall Primary	<a href="mailto:enquiries@tattershallprimary.lincs.sch.uk">enquiries@tattershallprimary.lincs.sch.uk</a>
	Billinghay CE	<a href="mailto:lynne.rowitt@billinghay.lincs.sch.uk">lynne.rowitt@billinghay.lincs.sch.uk</a>
	Walcott	<a href="mailto:andrew.sewell@walcott.lincs.sch.uk">andrew.sewell@walcott.lincs.sch.uk</a>
	Martin Mrs Mary King	<a href="mailto:enquiries@mrsmarykings.lincs.sch.uk">enquiries@mrsmarykings.lincs.sch.uk</a>
	Kirkby on Bain	<a href="mailto:admin@kobps.lincs.sch.uk">admin@kobps.lincs.sch.uk</a>
	Mareham le Fen	<a href="mailto:enquiries@mareham.lincs.sch.uk">enquiries@mareham.lincs.sch.uk</a>
	New York	<a href="mailto:lisa.hawkins@nework.lincs.sch.uk">lisa.hawkins@nework.lincs.sch.uk</a>
	Woodhall Spa	<a href="mailto:enquiries@st-andrews-woodhall.lincs.sch.uk">enquiries@st-andrews-woodhall.lincs.sch.uk</a>
<b>Chair of Govs of neighbouring primary schools</b>	Tattershall Holy Trinity	<a href="mailto:mikevphi@btinternet.com">mikevphi@btinternet.com</a>
	Tattershall Primary	<a href="mailto:wsmason@sky.com">wsmason@sky.com</a>
	Billinghay CE	<a href="mailto:penny@penray.co.uk">penny@penray.co.uk</a>
	Walcott	<a href="mailto:warren843@btinternet.com">warren843@btinternet.com</a>
	Martin Mrs Mary King	<a href="mailto:rjplgrim@btopenworld.com">rjplgrim@btopenworld.com</a>
	Kirkby on Bain	<a href="mailto:thebrewsters@tesco.net">thebrewsters@tesco.net</a>
	Mareham le Fen	<a href="mailto:stainton2310@aol.com">stainton2310@aol.com</a>
	New York	<a href="mailto:david.quinnell@sky.com">david.quinnell@sky.com</a>
<b>Anglican Diocese</b>	Jackie Waters-Dewhurst	<a href="mailto:jackie.wd@lincoln.anglican.org">jackie.wd@lincoln.anglican.org</a>
<b>R C Diocese</b>	Ms Gail Neill	<a href="mailto:timzy.khurwal@nottingham-des.org.uk">timzy.khurwal@nottingham-des.org.uk</a>
<b>Neighbouring LAs</b>	N/A	N/A
<b>EFA</b>	Nick Rashley	<a href="mailto:Nick.rashley@education.gsi.gov.uk">Nick.rashley@education.gsi.gov.uk</a>
	Andrew Barrett	<a href="mailto:Andrew.Barrett@education.gsi.gov.uk">Andrew.Barrett@education.gsi.gov.uk</a>
<b>Libraries</b>	Janet Strudwick, Library Support Service	<a href="mailto:janet.strudwick@lincolnshire.gov.uk">janet.strudwick@lincolnshire.gov.uk</a>
<b>Primary Care Trust</b>	Chief Exec of Lincs Primary Care Trust	<a href="mailto:john.mcivor@lpct.nhs.uk">john.mcivor@lpct.nhs.uk</a> ; <a href="mailto:andrea.pickford@lpct.nhs.uk">andrea.pickford@lpct.nhs.uk</a>
<b>Any groups using Coningsby's school premises</b>	None	N/A





**Complete Proposal**  
**to Expand**  
**Coningsby St Michael's Church of England**  
**Primary School**

MATTERS TO BE SPECIFIED IN SECTION 19 OF THE EDUCATION AND  
INSPECTIONS ACT 2006

PROPOSALS TO MAKE A PRESCRIBED ALTERATION TO A SCHOOL

**3 April 2013**

## **Contact details**

This proposal has been published by Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ regarding the expansion of Coningsby St Michael's Church of England Primary School, School Lane, Coningsby, Lincoln LN4 4SJ.

## **Implementation**

The proposal is to expand Coningsby St Michael's Church of England Primary School with effect from 1 September 2014. This proposal is being made to ensure that there are sufficient primary school places in Coningsby and the surrounding area to accommodate the increasing pupil numbers in the community and to enable the Local Authority (LA) to fulfil its statutory duty of providing school places for all children of statutory school age in Lincolnshire.

## **Objections and Comments**

Any person or organisation may object to or make comments on the proposal by sending them to Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or by emailing [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk) to be received by the deadline of 1 May 2013.

## **Alteration description**

The proposal under consideration is to expand the existing capacity based on the Published Admission Number (PAN) from 280 to 420 with an increase in the PAN from 40 to 60.

## **School Capacity and Site**

As a temporary measure the school has admitted above their usual intake of 40 in recent years to provide up to 50 places in Reception by making use of all available accommodation and using a temporary classroom. Beyond the intake in September 2013 it will not be possible to meet the growing demand for school places without additional accommodation. Accommodation will be provided, subject to planning permission, if the proposal to expand capacity with effect from September 2014 goes ahead with the necessary building work beginning during the academic year 2013/2014 (subject to any necessary planning permission being granted) and the aim of having the new facilities completed ready for the start of term in September 2014. This would be managed to cause minimal disruption to the school during term time making best use of school holidays where possible.

The planning application process required would be dealt with and consulted on separately with opportunity for those that are interested to be involved throughout the planning process.

The number on roll at the time of the census taken in January 2013 was 277. The table below shows the number currently on roll and also shows the applications for September 2013 and potential intake numbers for September 2014 based on NHS GP registration data and historical trends. The published admissions number per year group is currently 40 with a permanent capacity of 280:

	2015	2014	2013	Rec	Y1	Y2	Y3	Y4	Y5	Y6	Total
Number on Roll	65	71	40	44	48	48	33	40	37	27	277

Data from January 2013 Census and NHS GP Registration trend analysis

## Objectives

The proposal detailed in this document is to expand Coningsby St Michael's Church of England Primary School with effect from 1 September 2014 and the objective is both to ensure that there are sufficient primary school places in the area to accommodate the increasing pupil numbers in the community and also to enable the LA to fulfil its statutory duty of providing school places for all children of statutory school age in Lincolnshire within a reasonable distance from where they live.

The LA considers this to be the best available solution to the expected shortage of primary school places in Coningsby and the surrounding area and would not be actively participating in this process if it did not see significant advantages for children and young people, their parents/carers and the local community. The LA believes the proposal to be in the best interests of local children and local parents as well as educational provision in the area and it reinforces the priorities in the Children and Young People's Plan (CYPP). The proposal will ensure that the provision of school places is planned so as to promote high educational standards, enable fair access to educational opportunity for every child and promote the fulfilment of each child's potential. This proposal will both enhance the quality of provision and sustain local provision.

Other options in this area have been explored and all primary schools have been considered for potential expansion but none have been found to be as suitable to expand on this scale due to reasons such as undersized sites, distance that pupils would have to travel, parental preference, potential impact on standards and the fact that other schools are of suitable sizes for the areas they serve. The proposal to expand St Michael's Primary School has the support of the Headteacher and Governing Body and the LA believes it to be the most appropriate option for expansion in the area but it is important that the LA considers all views submitted during consultation. As detailed below in the consultation section an expansion of Tattershall Holy Trinity Church of England Primary School is already being considered in addition to the proposal to expand St Michael's Primary School following feedback received during the consultation process regarding the need for additional places in both Tattershall and Coningsby.

The publication of the Statutory Notice will enable the statutory and legal processes to proceed. This continuation to the next stage of the process will allow a further opportunity for people and organisations to express their views about the proposal and ensure that they will be taken into account by the Executive Councillor.

## Consultation

In order for the school to expand the LA must follow the necessary statutory legal processes as required by the Secretary of State in accordance with the Education and Inspections Act (EIA) 2006 and updated by the Education Act 2011 together with the guidance of the Department for Education (DfE) regarding expansion. Under current legislation the LA is the decision maker for the proposal.

Consultation originally began on 21 January 2013 with a letter, incorporating relevant information and reasons for the proposal, being sent to all parents of pupils attending the school informing them of the proposal. Interested parties were also informed as required by guidelines issued by the DfE. In addition, on 1 February 2013, individual drop in sessions were offered to parents to discuss the proposal further with an LA officer. These meetings were offered to allow those having an interest in this proposal to be able to gather information, ask questions and get involved in the debate. Several appointments were taken up, mainly by parents of current pupils, where concerns about expanding the school were addressed and all consultees were encouraged to submit a formal response to the consultation.

All parents/carers and other interested parties were given the opportunity to respond as part of the consultation process by 18 February 2013. Copies of the letter commencing consultation and the response form were also published on the County Council website under the webpage Current Consultations on [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning)

An analysis of the written responses to the consultation is detailed in Appendix B1 but to summarise, however, there were 66 valid responses in total with 11 supporting the proposal, 48 against and 7 neither for nor against the proposal but wishing to raise points for consideration. Out of the total of 66 there were 10 responses from parents of current pupils with only 1 against. Responses were also received from governors and members of staff at the school all of which were in favour of the expansion proposal. The majority of the responses against the proposed expansion have been received from governors, staff and parents representing other schools in the area. (Tattershall Primary School, Holy Trinity C of E Primary School, Mareham-le-Fen C of E Primary School and Kirkby-on-Bain C of E Primary School). Some of these responses have questioned whether there is a need for additional school places in this area and a significant number are against the proposal as they believe that it will have a negative impact on the number on roll at other schools, even possibly leading to the closure of a school in the area. However, the expansion is required to meet the projected demand for places and ensure that the LA meets its duty of providing sufficient places for children of statutory school age. The expansion is proposed to meet the need for additional capacity and not to replace existing capacity in the primary sector. The proposal under consideration was prepared based on data and projection figures that were currently available. This earlier evidence of the need to increase the capacity in the primary sector has been confirmed by updated figures recently released by the NHS since the start of this consultation process. The LA has a vital role in ensuring the viability and sustainability of all schools within Lincolnshire and not to create any excess surplus capacity which would be detrimental to an existing school or Academy.

As a result of the feedback received from local councillors and residents during the consultation process it is proposed that the capacity at Holy Trinity Church of England School in Tattershall will also be increased in addition to the expansion at St Michael's Church of England Primary School to meet the needs of both Tattershall and Coningsby residents. This increase has been suggested and agreed as a result of the responses received during consultation but is not large enough to necessitate a formal process of consultation or the publication of a Statutory Notice. It will involve the use of one additional classroom at Holy Trinity enabling the PAN to be increased from 16 to 20 (28 additional places in total) with an implementation date of September 2014. The increased PAN will initially apply to Reception only and then continue to be phased in with each subsequent Reception intake until the PAN of 20 applies to all year groups. If further expansion is required in the future in this area the LA will consider all available options including expansion at Tattershall Primary School and the feasibility of any additional expansion at Holy Trinity and St Michael's. The proposed expansion of Coningsby St Michael's will now be considered as a potential two stage expansion with the possibility of stage 1 providing two classrooms and appropriate infrastructure with a view to add a further two classrooms in the future (within five years) to provide the full capacity for a PAN of 60 should the capacity continue be required in Coningsby

The Headteacher of Coningsby St Michael's has consulted with the children currently attending the school through the school council. The consultation produced a very positive response and the children are generally looking forward to the expansion of their school (summary attached in Appendix B2).

#### **Evidence of the consultation before the proposal was published -**

- (a) a list of persons and/or parties who were consulted can be found in Appendix A
- (b) the views of the persons consulted are summarised in Appendix B1 together with a summary of the consultation undertaken by the school council in Appendix B2
- (c) a copy of the letter confirming the commencement of the consultation process and incorporating relevant information and reasons for the proposal is in Appendix C
- (e) a copy of the form to send in responses is in Appendix D.

Following the initial letter all documentation relating to the consultation was published online through the County Council website under Current Consultations at [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning)

All applicable statutory requirements to consult in relation to the proposal were complied with.

#### **Project Costs**

This proposed expansion will incur capital costs and the LA will fund the necessary capital costs from the Children's Services capital programme with ongoing revenue costs funded from the Dedicated Schools Grant.

## **Special Educational Needs (SEN) provision**

The expansion of the school is not likely to have any impact on SEN provision other than an opportunity to improve the provision with better access to resources and consistently good quality teaching, learning and leadership at the refurbished school. Consideration of pupils with SEN will take place and the LA will continue to look to make improvements in the standard, quality and/or range of the education provision for children with SEN.

## **Need for places**

National birth rates, mostly concentrated in more urban areas, have been steadily rising in recent years. This increased birth rate, combined in some areas with inward migration and housing development, is now starting to have an impact at primary school age putting significant pressure on primary schools across the country where there is a shortage of Reception places. Coningsby and the surrounding area will experience a shortage of available places if capacity at one of the local schools is not increased. There is also an added pressure from RAF families in this area. Information received regarding the long term future of RAF Coningsby and the impact of MOD strategic plans has been included in the consultation process and consideration of the expansion proposal.

The school has admitted above the usual intake of 40 to provide up to 50 Reception places in recent years by making maximum use of all available accommodation and using a temporary classroom. Beyond the intake in September 2013 it will not be possible to meet the growing demand for school places without additional accommodation.

There is expected to be a long term requirement for more places. A permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting 4 year old children to alternative schools outside of their local community.

The proposal being consulted on is to permanently expand the school from the existing capacity of 280 places based on a Published Admission Number (PAN) of 40 to 420 places (PAN 60), with a proposed implementation date of September 2014. This would increase the PAN initially for the Reception intake in September 2014 with the PAN for all other years remaining at 40. The increased intake to 60 would then continue to be phased in with each subsequent Reception intake from September 2015 until the PAN of 60 applies to all year groups. This phased approach will allow the school to effectively manage staffing and teaching structures and help to ensure that pupil numbers at other local schools will be maintained.

Having additional classes and more children on roll at the school will also have financial benefits for the school. This may potentially provide the opportunity to enhance teaching provision and career opportunities for staff which in turn will benefit the learning experience of the children.

Following statutory consultation, if the expansion proposal is approved, it is proposed that building work to add necessary additional accommodation will begin during the academic year 2013/14 (subject to planning permission being granted) and planned to be completed in readiness for the start of term in September 2014.

This would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible.

Please note that the planning application process is dealt with and consulted on separately and there will be opportunity for those that are interested to be involved throughout the planning process.

### **Expansion of successful and popular schools**

The Government is committed to ensuring that every parent can choose an excellent school for their child with the wishes of parents being taken into account. There is a strong presumption that proposals to expand popular and successful schools should be approved. DfE guidance states that places should be allocated where parents want them and that successful and popular schools be allowed to grow. This proposal will assist in meeting parental preference.

The most recent Ofsted report following an inspection at the school was published in November 2012 and evaluated the school as “requiring improvement”. The inspection has since been followed up by Ofsted with a monitoring visit which confirmed that the main concerns are already being addressed. The Headteacher and Acting Deputy Headteacher have revised and improved the school’s improvement plan and are demonstrating a strong determination to improve the school. Many improvements have been made in a very short period of time. The governing body has received appropriate training and is developing an increasingly strong and accurate understanding of the school’s strengths and weaknesses. The school is developing partnership working with other local schools and in addition an educational adviser, working on behalf of the LA, has also provided support.

The school is popular with parents and in recent years has been oversubscribed as indicated by the numbers of first and second preference applications received (48 in 2013, 55 in 2012, 72 in 2011 and 63 in 2010) for the 40 available places in the Reception class.

### **Related Proposals**

The proposal to expand St Michael’s Primary School is not related to any other statutory proposal.

### **What will happen now?**

Any person may object to or make comments on this proposal by sending them to Provision Planning, Children’s Services, Lincolnshire County Council, County Offices, Newland, Lincoln, Lincolnshire, LN1 1YQ or by emailing [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk)

At the close of the 4 week representation period (statutory formal consultation) on 1 May 2013 responses will be collated and analysed and a final report will be presented to the Executive Councillor in June 2013 for a decision on the expansion of the school. The representation period is the final opportunity for people and organisations to express their views about the proposal and ensure that they will be taken into account by the decision maker.

APPENDIX D Written Responses made in Consultation Period on the proposed expansion of Coningsby St Michael's Church of England Primary School				
Point of View	Supports Proposal (11)	Against Proposal (48)	Not For or Against (7)	Other comments/Notes
Governor	y			Settling of school, safe access, road network make this school ideal choice for expansion. Headteacher and governors are enthusiastic and dedicated and are doing excellent work to further the standards of education. The school plays a central role in life of community and ecclesiastical parish. Pleased to play my part in the future expansion of the school.
Governor	y			This will be of great benefit to the community, a really exciting project. Slight concerns that any build will impact on playground and grassed areas and need to try and find a solution to this.
other school parent		y		
other school parent		y		I feel it will affect Tattershall Primary School negatively
other school parent		y		
other school parent		y		Places should be filled at other schools first. Smaller schools should not miss out just because of transport issues.
other school parent		y		
other school parent		y		The increase in traffic will disturb the home next to St Michael's. Tattershall Primary School has lots of car parking space, a site large enough to cope with expansion and lots of outdoor space for sport and games. It is also in the middle of an estate so children do not have to walk long distances to get there and it is safe with no heavy traffic around.
other school parent		y		expansion could have negative impact on class size at Tattershall Primary leading to loss of teachers or teaching assistants and therefore effective learning. Also loss of finance could mean teaching equipment and media falling behind latest technology and again reduce effective learning.
other school parent		y		
other school parent		y		Expanding St Michael's will take opportunities away from Tattershall Primary School. All 3 schools in the area should have an equal share.
other school parent		y		
other school parent		y		Tattershall Primary School has worked hard to get where it is. It is the only non-religious school so gives more cultural and religious choice
other school parent		y		
other school parent		y		
other school parent		y		This will result in a loss of pupils for Tattershall Primary School and then loss of good teaching staff when it has improved greatly over the past two years. I do not want to see its numbers dwindle.



Point of View	Supports Proposal (11)	Against Proposal (48)	Not For or Against (7)	Other comments/Notes
other school parent	y			Children get better teaching in smaller classes. An expansion at Coningsby could mean smaller schools having to close therefore affecting the pupils. Tattershall Primary School has worked hard to turn itself around.
other school parent	y			
other school parent	y			
other school parent	y			
other school parent	y			My daughter did not do well at Coningsby so moved to Tattershall Primary where her grades have improved. If any expansion is needed it should be at Tattershall Primary which is on an upwards slope and the staff are more focussed not at Coningsby which I feel is declining. Surely the school with better staff and happier children should be expanded?
other school parent	y			
other school grandparent	y			There is too much traffic using the road already causing difficulties for access to the nursing home. It is not a safe road.
other school gov and parent	y			Expanding Coningsby is forcing parents to apply there rather than giving them free choice. Holy Trinity serves a far greater residential population - why should residents of Tattershall have to travel to Coningsby? Holy Trinity could offer more places if developed - which could also deal with issue of outdated inadequate portakabin currently in use. Coningsby's latest Ofsted report was "far from glowing" and the school has enough challenges without increasing numbers. Development of Holy Trinity would better serve the local population.
other school gov and parent	y			Tattershall Primary School will suffer through class sizes and funding which is needed to continue to ensure 'good' teaching in our school which we have all worked so hard to achieve.
other school governor	y			I would like to see data to support increased birth rates. There are spare places at several if not most local schools. It should be a priority to fill these and keep existing schools in a healthy state
other school governor	y			There are surplus places in locality and the expansion will detrimentally affect other primary schools. There is no data or logic to support the proposal - no large population increase forecast from national statistics. RAF Coningsby may not generate number of children indicated. Why rush to put this through at the expense of other schools?
other school governor	y			I do not believe the indicated birth rate warrants the expansion. There should be a fair balance between Coningsby and Tattershall schools - to expand one might put the other under threat. This could be seen as a monopoly and parents should have choice.
Governing body other school	y			Welcomes expansion of places in the area but does not consider Coningsby as most suitable or only solution. Roads would be too busy. Capacity at Tattershall Primary was reduced in 2000 on understanding that if expansion was required in area this would be priority at Tattershall Primary. Now graded as good by Ofsted and should have opportunity to expand to benefit staff and pupils. Expansion at Coningsby may cause financial risk at Tattershall Primary. LA should be supporting sustainability of smaller schools. Tattershall Primary is the only none CofE school in area and if it failed to sustain its numbers this may restrict parental preference. Would it be possible to increase the PAN at Tattershall Primary as well as the expansion at Coningsby?
other school governor	y			Surely the increase of child numbers is in urban not rural areas? Where are the facts to back up the long term requirement for more places? Which school will be forced to close if the birthrate does not increase?
other school governor	y			The access to St Michael's will not cope with additional traffic. Police are often asked to attend to solve problems with parking etc. There is little space for building on the site and open fields should not be lost. As a good improving school Tattershall Primary expected support from LA and the children's centre was built on condition that the school would expand if needed.
other school gov and staff	y			Should consider expanding Holy Trinity School as it is always oversubscribed - a temporary portakabin was installed in 1991 and is still in use. Why should children travel to Coningsby to attend a church school. Many children who live in Tattershall will not get a school place in Tattershall.
other school gov and staff	y			This will affect traffic congestion in Coningsby where RAF traffic already makes travelling difficult. Increasing the size of one school will affect surrounding schools giving an unfair share of funds and pupils to one site.

Point of View	Supports Proposal (11)	Against Proposal (48)	Not For or Against (7)	Other comments/Notes
other school parent/gov and staff	y			No need to increase capacity in area as shortage of primary places not evidenced. Parents choose schools not merely on nearest but on what is best for their child. Tattershall Primary has capacity for growth. Support should be given to all local schools and not concentrated in one. St Michael's is only graded as satisfactory by Ofsted - it should be good or satisfactory before being considered for growth and finance.
other school staff			y	is Holy Trinity's future under threat? It would benefit from a brick built structure to replace the portakabin. This will give St Michael's an advantage over Holy Trinity in attracting new pupils and parents.
other school staff		y		This expansion may give the wrong impression to parents and cause a decline in the numbers of families choosing Tattershall Primary School causing it to close.
other school staff		y		Tattershall Primary is the only 'good' school in the area. Expansion At Coningsby would cause concerns about the increased traffic through Coningsby.
other school staff		y		Tattershall Primary is the only community school in the area. Our school provides the best education in the area. Our pupils are safe and happy. This proposal could negatively affect the numbers at Tattershall Primary School and also affect the struggling traffic issues around Coningsby making the area less safe for children and affect local businesses.
other school staff		y		Holy Trinity is oversubscribed - 30 first choice applications for 2013 with a PAN of 16 so parents are not really getting a choice. We are having to spend considerable sums on keeping the temporary classroom fit for use. It is not ideal and should have been replaced years ago. If Coningsby benefits from new facilities this will place us at a further disadvantage.
other school staff		y		No evidence to confirm that there is a shortage of places in the area. Kirby on Bain school will suffer if PAN is increased at Coningsby as a significant number of pupils for whom Coningsby is their nearest school actually attend Kirby on Bain school.
other school staff		y		If Coningsby take on more children and Tattershall have less on roll this will have a negative impact on Tattershall Primary School's finances so restricting the childrens learning experience and could mean staff redundancies. We are the only community school in the area - parental choice should not be restricted and all schools should be treated fairly.
other school staff		y		This could lead to a reduction in numbers at Tattershall Primar (School. Can the community afford to lose a school rated as 'good with outstanding features'?
other school staff		y		The extra children could be accommodated at neighbouring schools - Tattershall Primary, Mareham le Fen and New York for example. Where is the evidence of increasing numbers? Less RAF are setting in the village compared to recent years. Coningsby is already a large school and there is limited parking with chaos at home time.
other school staff		y		It would be a travesty if a school rated as 'good with outstanding features' had to close due to falling numbers. This could have an impact on the only community school in the area. Smaller schools are better equipped to cope with the pastoral care of children in the community.
other school staff		y		It is wrong to put at risk a school rated as 'good with outstanding features' by increasing numbers at other schools not graded as well as this.
other school parent and staff		y		Surely the 3 existing schools can cater for the needs of the community. Where are the extra numbers going to come from without swallowing up other schools? It would be unfair to close a school judged as 'good to outstanding' Tattershall is the only none faith school.
Parent and parent at other school			y	Has children at both Tattershall Primary and Coningsby. Worried about impact of building work at Coningsby on child who is pupil there as he is being tested for Aspergers and has difficulty coping with change.
Parent and school staff	y			I am in favour as it will benefit my child and also give opportunity to make impact on community and give children a wonderful start to their learning journey.
Parent		y		Concerns over traffic safety - already 'accident waiting to happen' let alone with further numbers. After a disappointing Ofsted the focus should be on improving rather than expanding. We are a church school yet how will all the children now fit into the church? Perhaps the plan should be to improve 2 schools rather than focus on Coningsby. I feel increasingly let down by the school and feel my children will just become a number at the school.
Parent			y	Traffic issues - access to my house is often blocked, near miss accidents, and would only be in favour if general access restricted aeg at certain times of day or access restricted to residents only or buses.
Parent			y	<b>For</b> - new job opportunities, improve teaching, single year group classes. <b>Against</b> - carparking already insufficient, main road over congested with high potential for an accident, more buildings will spoil the look of the school and take up valuable outdoor playing area, church will not be able to accommodate 420 pupils at once. Why not expand one of the 2 Tattershall primary schools?
Parent	y			Pre school places are already hard to find. I do not want my daughter to go to a different school/area.

Point of View	Supports Proposal (11)	Against Proposal (48)	Not For or Against (7)	Other comments/Notes
Parent	y			Can only be an asset to the school with more space and choice for the children in the future. Concerns over parking and dropping off of children.
Parent		y		Concerns over safety and security of children following increased numbers and additional supervision required within the school and also restricted parking and access with potential for accidents to children if numbers increased.
Parent future	y			It is a good thing for children to attend a school in their village. I hope that classes will not be mixed years and reception becomes more structured
Parent governor	y			Concerns that school will still be happy friendly place; will teaching standards be negatively affected by having to cope with increased numbers; hall not big enough; negative impact on traffic safety following increased numbers; outside space big enough for extra children once building work undertaken; if an increase in none-english speaking children will this affect standards. But feel positive about 2 classes per year group so no mixed year group classes.
Parent governor	y			Coningsby community is growing and this will enable village children to go to village school. Hopefully this will also enable the school to have single year group classes.
schoolstaff	y			Expansion will address problem areas and provide facilities an increasing school needs.Beneficial for children to have all parts of their lives connected ie school, friends, after school activities all in same locality to provide stability (especially important for service families). "cracking school with superb staff". Will allow school to provide safe & great education in modern surroundings for many years to come.
schoolstaff	y			
Secondary school			y	No issues with consultation proposal
Town/parish councillors		y		We don't believe there is a shortage of Reception/Primary places - not the case at Mareham-le-Fen
Town Council			y	Mixed views- can see the need for more places but why not increase all 3 schools? The infrastructure at St Michael's cannot cope with the numbers already - little or no parking and access issues.
Parish Council		y		The Coningsby site is small, would not provide adequate open space and has access issues.The 2 Tattershall schools are better placed to serve local children. Tattershall Primary School is the only community school and none faith so if it closed this would reduce parental choice. Also if the proposal for a new nursery in Tattershall goes ahead this would be a natural feeder into the Tattershall schools.
Town/parish councillor			y	Too many questions to make informed decision - will there be sufficient car parking for increased staff; will 2 new classrooms be single storey, will new classrooms encroach on playing area as this is already limited for existing numbers so more will be needed if expand school not less. Why not buy the old primary school buildings across the road to increase capacity rather than build on existing site? NB Letter sent 08/02/2013 to provide more information and enable informed response.
Parish Council	y			
Not stated		y		

## APPENDIX E

### **Consultation on the expansion of St Michael's Church of England Primary School, Coningsby**

Positive points discussed at school council:-

- 'if we have a bigger hall we will be able to have lunch together'
- 'we would be able to change our outside play area'
- 'if we have more children at school, it would be more good, we would have more friends to play with'
- 'we will be able to work in smaller groups'
- 'we would have more space for our SATs'
- comments about having single age classes - 'would like to have my friends in my class', 'i don't like feeling separated from my friends', 'i feel more settled with my friends'.

The only concern raised was:-

- 'would we all fit in the church if we have more children?'



To Staff, Parents/Carers and other interested parties

21 January 2013

Dear Consultee

### **Proposal to Expand St Michael's Church of England Primary School in Coningsby**

Lincolnshire County Council (LCC) is commencing a consultation process on the proposal to permanently expand the capacity at St Michael's Church of England Primary School, School Lane, Coningsby, Lincoln LN4 4SJ with an implementation date of September 2014.

It is the Local Authority's (LA) statutory duty to ensure that there are sufficient school places to accommodate all pupils of statutory school age in Lincolnshire. The LA believes that this proposal is the best available option to address the expected shortage of Primary Reception school places in Coningsby and the surrounding area to ensure that local children are able to go to their local school. It is important that the LA gather and consider all views on this proposal prior to making a decision on how to proceed.

The proposal being consulted on is to permanently expand the school from the existing capacity of 280 places based on a Published Admission Number (PAN) of 40 to 420 places (PAN 60), with a proposed implementation date of September 2014. This would increase the PAN initially for the Reception intake in September 2014 with the PAN for all other years remaining at 40. The increased intake to 60 would then be phased in with each subsequent Reception intake commencing in September 2015 until the PAN of 60 applies to all year groups. This phased approach will allow the school to effectively manage staffing and teaching structures and help to ensure that pupil numbers at other local schools will be maintained.

The following information outlines the reasons for the proposal and explains why there is a need to expand this school and how the expansion can benefit the children and the community.

### **Reasons for the Proposal to Expand St Michael's Church of England Primary School**

National birth rates, mostly concentrated in more urban areas, have been steadily rising in recent years. This increased birth rate, combined in some areas with inward migration and housing development, is now starting to have an impact at primary school age putting significant pressure on primary schools across the country where there is a shortage of Reception places. Coningsby and the surrounding area will experience a shortage of available places if capacity at one of the local schools is not increased.

There is expected to be a long term requirement for more places. A permanent sustainable solution is needed to accommodate these extra children to avoid overcrowding and/or transporting 4 year old children to alternative schools outside of their local community.

Having additional classes and more children on roll at the school will also have financial benefits for the school. This may potentially provide the opportunity to enhance teaching provision and career opportunities for staff which in turn will benefit the learning experience of the children.

Following statutory consultation, if the expansion proposal is approved, it is proposed that building work to add necessary additional accommodation will begin during the academic year 2012/13 (subject to planning permission being granted) and planned to be completed in readiness for the start of term in September 2014. This would be managed to cause minimal disruption to the school during term time making the best use of school holidays where possible.

Please note that the planning application process is dealt with and consulted on separately and there will be opportunity for those that are interested to be involved throughout the planning process.

### **Have your say**

If you wish to comment on this proposal then please return the response form by 5.00pm on Monday 18<sup>th</sup> February 2013 using the contact details provided. If you would like to discuss this further before responding to the proposal then LA officers will be holding pre-booked consultation appointments at the school on Friday 1<sup>st</sup> February between 8.30am and 5.00pm. Please contact Mrs Elaine Barber, School Business Manager, on 01526 342312 to arrange an appointment.

If you have any queries regarding the proposal or the consultation process please do not hesitate to contact the Property and Technology Management team (contact details are confirmed on the response form).

If you would like further information or would like to comment on this proposal then please return the attached form, email [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk) or write to Property & Technology Management, Lincolnshire County Council, County Offices, Lincoln LN1 1YQ by 5.00pm on 18th February 2013.

Copies of all documents related to this proposal, including an electronic version of the feedback form, can be found online at [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning) under "Current Consultations". Hard copies are also available on request.

Yours sincerely



Matt Clayton  
School Organisation Planning Manager  
Property and Technology Management

## APPENDIX G : Consultation Feedback Form on the Expansion of St Michael's Church of England Primary School in Coningsby

Please note that if you do not provide your name and address your views will not be counted as legitimate responses to this consultation. Names and contact details will remain confidential.

Name: \_\_\_\_\_ Email (optional): \_\_\_\_\_

Postal Address: \_\_\_\_\_

Parent Carer  Teacher/School Staff  Governor  Employer/Business

Other (please specify)  : \_\_\_\_\_

Which school (if any) do you represent? \_\_\_\_\_

Having read the proposal please indicate your view below by ticking one of the boxes

I am in favour of proposal  I am against proposal  I am neither for nor against the proposal

Why have you decided this is your view? Tell us about it below.

Is there anything else you would like us to consider?

Please return the completed form by 5pm Monday 18<sup>th</sup> February 2013 to: Property & Technology Management, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or email [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk) or fax 01522 553257

**Proposal to Expand Coningsby St Michael's Church of England Primary School.**

**NOTICE IS HEREBY GIVEN** in accordance with section 19(1) of the Education and Inspections Act 2006 as updated by the Education Act 2011 that Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ intends to make a prescribed alteration to Coningsby St Michael's Church of England Primary School, School Lane, Coningsby Lincoln LN4 4SJ with effect from 1 September 2014.

The proposal is to permanently expand the school from the existing capacity of 280 to 420 places with an increase in the Published Admission Number (PAN) from 40 to 60. This would increase the PAN initially for the Reception intake in September 2014 with the PAN for all other years remaining at 40. The increased intake to 60 would then be phased in with each subsequent Reception intake commencing in September 2015 until the PAN of 60 applies to all year groups.

As a temporary measure reorganisation has taken place within the limited existing accommodation and with the use of a temporary classroom which has enabled the school to provide above the PAN up to 50 places in the Reception intake in recent years.

The prescribed alteration being consulted on is not related to any other statutory proposal. All statutory consultation requirements in respect of this proposal have been complied with.

The current net capacity of Coningsby St Michael's Church of England Primary School is 280 and the proposed capacity will be 420. The current admission number is 40 and the proposed admission number will be 60. There are currently 271 pupils on roll.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained by writing to: Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or by calling 01522 553329 or by emailing [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk) or via [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning)

**Within four weeks** from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Provision Planning, Children's Services, Lincolnshire County Council, County Offices, Newland, Lincoln LN1 1YQ or by emailing [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk).

Signed: Debbie Barnes  
Director of Children's Services  
Lincolnshire County Council

**Publication Date:** 3 April 2013

**Explanatory Notes**

1. This proposal is not linked to any other proposal.
2. A copy of the County Council's Home to School Transport policy can be obtained on-line at [www.lincolnshire.gov.uk/parents/schools/school-transport](http://www.lincolnshire.gov.uk/parents/schools/school-transport)
3. Further details on the consultation which have led to this proposal can be accessed on-line under "Current Consultations" via [www.lincolnshire.gov.uk/provisionplanning](http://www.lincolnshire.gov.uk/provisionplanning)



Impact Analysis to Enable Informed Decisions						
Background Information						
Directorate	Assistant Director area	Service area	Lead officer	Person / people completing analysis	Date of workshop / meeting	Version
Adults & Children's	Children's Services	Property & Technology Management	Michelle Andrews	Linda Duffield		1
Title of the policy / project / service being considered						
The expansion of Coningsby St Michael's Church of England Primary School						
General overview and description of the The expansion of Coningsby St Michael's Church of England Primary School						
The proposal under consideration is to permanently expand the school from its existing capacity of 280, based on a Published Admission Number (PAN) of 40, to 420, based on a PAN of 60.						
The status of the The expansion of Coningsby St Michael's Church of England Primary School						
New			LCC Directly Delivered			
Timescales for implementation						
<p>The process commenced on 21 January 2013 with a letter sent out to all parents of current pupils and other interested parties including County/District/and Parish councillors initiating a 4 week period of consultation. Individual meetings were offered for interested parties to meet with representatives of the LA. Several appointments were taken up where concerns were addressed and all consultees were encouraged to submit a formal response to the consultation. 66 valid written responses were received with 11 supporting the proposal, 48 against and 7 neither for nor against the proposal but wishing to raise points for consideration. 10 of the total number of responses were from parents of current pupils with only 2 against. The majority of responses against the proposal were from representatives of other neighbouring schools questioning the need for additional school places in the area believing that the expansion will have a negative impact on the number on roll at other schools. However the expansion is required to meet the projected demand for places and ensure that the LA meets it's statutory duty of providing sufficient school places for children of statutory school age. The expansion is proposed to meet the need for additional capacity and not replace existing provision. Under this expansion proposal the increase to the PAN will initially apply only to the Reception intake in 2014 with the PAN for all other years remaining at 40. The increased intake to 60 would then be phased in with each subsequent Reception intake until the PAN of 60 applies to all year groups. This will help to ensure that pupil numbers at other local schools will be maintained. Following this the Executive Councillor took the decision to publish a Statutory Notice commencing the 4 week Representation Period. 4 responses were received in this period which raised concerns regarding car parking and access and the impact of additional traffic arising out of the increased pupil numbers. A final decision is anticipated on 28 June 2013 with an implementation date of 1 September 2014.</p>						
Analysis						
1. What is the current situation?						
<p>Coningsby St Michael's Church of England Primary School has a capacity of 280. Due to the pressure on primary school places in the area the school has, with the agreement of the LA, offered over the PAN up to 50 places in Reception in recent years and will do so again for the September intake in 2013. This has been made possible by reorganising within the limited existing accommodation and with the use of a temporary classroom. Further accommodation will be provided if the expansion proposal goes ahead.</p>						

<p><b>2. What are the drivers for change?</b></p>	<p>(a) Political -To ensure the LA meets its statutory duty of providing sufficient school places for children of statutory school age in Lincolnshire (b) Economic, social and political -To ensure the provision of school places is planned so as to promote high standards and sustainability therefore enabling children to fulfil their potential. (c) Political &amp; Social - To avoid overcrowding and placing increasing pressure on all primary schools as this would likely lead to a negative impact on the quality of education provided. (d) Economic and social - To avoid increased transport costs and the negative impact of extra travelling time and potential increased car usage if it were necessary for children to travel to villages outside of Coningsby or Tattershall.</p>
<p><b>3. What difference will we make?</b></p>	<p>The LA will fulfil its statutory duty by providing sufficient school places in the area for all children of a statutory school age. A sustainable long term solution is needed to meet the demand for school places arising out of the increasing birth rate. Overcrowding in primary schools, increased transport costs for home to school transport, extra car usage, negative impact of extra travelling time on children will all be minimised by this proposed expansion.</p>
<p><b>4. What are the assumptions about the benefits?</b></p>	<p>The headteacher and the Governing Body are in full support of the proposal. The additional school places provided will contribute to meeting the demand for school places both now and in the future. It will enable parents to obtain school places for their children at a local school and will enable a higher proportion of parents to obtain their first preference. A sustainable long term solution within the local area will provide enhanced educational provision.</p>
<p><b>5. How are you testing your assumptions about the benefits?</b></p>	<p>Coningsby St Michael's Church of England Primary School is a popular school and it has been consistently oversubscribed in recent years. The Headteacher and Governing Body are in full support of the proposal. The allocation of school places by means of the co-ordinated scheme implemented by the School Admissions team at subsequent intakes will confirm whether there are sufficient places for children in the area and provide data as to the percentage of parents receiving their first or other preference. Inspections and the work undertaken by Ofsted will monitor the quality of education provided.</p>
<p><b>6. What are the assumptions about any adverse impacts?</b> Could it have a negative effect on anyone?</p>	<p>Yes</p>
<p><b>6.1 Which groups/individuals could it have a negative impact on?</b></p>	<p>(1) The expansion proposal could have a negative impact on local residents within the area around the school eg issues of access and parking but this should not be significant as many of the additional pupils will live close to the school site and within a suitable walking or cycling distance from the school. The LA is committed to promoting the use of sustainable travel and transport to school and this would be reflected in the implementation of the school travel plan. There may also be the potential for a short term negative impact on the local residents when the building work takes place. However, this minor potential negative impact is far outweighed by the resulting positive solution. (2) Representatives of other schools in the area have questioned the need for additional school places believing that the expansion will have a negative impact on the number on roll at other schools. However the expansion is required to meet the projected demand for places and ensure that the LA meets its statutory duty of providing sufficient school places for children of statutory school age. The expansion is proposed to meet the need for additional capacity and not replace existing provision and the LA does not believe that there will be any negative impact on other primary schools. Under this expansion proposal the increase to the PAN will initially apply only to the Reception intake in 2014 with the PAN for all other years remaining at 40. The increased intake to 60 would then be phased in with each subsequent Reception intake until the PAN of 60 applies to all year groups. This will help to ensure that pupil numbers at other local schools will be maintained. (3) Consultation responses were received raising concerns that additional places were not being offered in accordance with parental preference and therefore having a negative impact on some families and as a result of this feedback an additional expansion is being progressed at Tattershall Holy Trinity Church of England Primary School. This will help to meet the needs of both Coningsby and Tattershall residents.</p>

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<p>6.2 How could it have a negative impact on these groups/individuals? Please refer to the list of protected characteristics to assist your answer</p>	<p>For residents - There may be concerns over access and car parking availability around the school site together with some potential impact of increased noise during building work. Neighbouring local schools - concerns have been expressed that there will be a negative impact on the number on roll at their school. Local parents - concerns have been raised that parental preference will require more places to be offered in Tattershall. Under the Equality Act 2010 the LA must take steps to meet the needs of persons sharing a protected characteristic as being different to the needs of persons who do not share it. Currently the school meets this requirement by careful management of all their pupils and their individual needs and will continue to do so during the period that the expansion work is undertaken.</p>
<p>7. How are you testing your assumptions about adverse impacts?</p>	<p>The majority of response forms against the proposal were submitted by representatives of other primary schools concerned that this will lead to an adverse impact on the number on roll at their school. However, as stated above, the expansion is proposed to meet the need for additional capacity and not replace existing provision and the LA does not believe that there will be any negative impact on other primary schools. The LA is aware of concerns regarding traffic issues but these will all be taken into consideration in the planning application process should the expansion proposal proceed. Consultation responses were received raising concerns that additional places were not being offered in accordance with parental preference and therefore having a negative impact on some families and as a result of this feedback an additional expansion is being progressed at Tattershall Holy Trinity Church of England Primary School. This will help to meet the needs of both Coningsby and Tattershall residents.</p>
<p>7.1 What further evidence do you need to gather?</p>	<p>A further opportunity for any interested party to submit comments and concerns was made available in the Representation Period ie the 4 weeks commencing with the publication of the Statutory Notice. During this period 4 responses were submitted which raised concerns regarding car parking and access and the impact of additional traffic arising out of the increased pupil numbers. Should the proposal go ahead all traffic issues will be considered in the planning application process. As part of this process any planning queries will be dealt with through a separate planning consultation and the LA would have to meet stringent requirements at the planning application stage. The statutory guidelines with regard to who and how to consult and the appropriate length of consultation have all been met to enable the decision maker to make the final decision.</p>
<p>8. Who are the stakeholders and how will they be affected?</p>	<p><b>Primary</b> (those directly affected, either positively or negatively by the organisation's actions)</p> <p>(1) Parents/carers and their children - will be assured that their educational needs are being met. (2) School Staff - less potential overcrowding at schools relieving pressure on school staff and therefore enhancing the quality of education provided. (3) The Council - this will ensure that the Council is meeting its statutory obligations; will ensure value for money reducing home to school transport and also that the needs of the Community are being met in that local children will be able to attend their local school.</p>
<p>9. How are you assessing the risks and minimising adverse impacts?</p>	<p><b>Secondary</b> (intermediaries, people or organisations who are indirectly affected by the organisation's actions)</p> <p>(1) Potential negative impact for local residents - the LA understands the potential for impact caused by the building work and will work to mitigate this should any negative impact arise. (2) Other local schools - as stated above the expansion is proposed to meet projected demand and not replace existing capacity and therefore the LA do not believe there will be any negative impact.</p> <p>As required a stakeholder engagement group will be formed to as part of the capital process to consider the impact of the ongoing project should the proposal to relocate and expand be approved</p>
<p>10. What changes will the Council need to make as a result of introducing the policy / project / service etc?</p>	<p>There will be no changes to any LCC policy or procedures. Building work will be undertaken at the school to enable the expansion of the capacity of the school to meet local primary demand.</p>

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<p><b>11. How will you undertake evaluation once the changes have been implemented?</b></p> <p>The number on roll will be reviewed together with the available capacity and projected demand for places in Coningsby, Tattershall and the surrounding area which will enable evaluation of both the need for places and also data on how the offer of places has met parental preference.</p>							
<p><b>Further Details</b></p>							
<p><b>Are you handling personal data?</b></p>	<p>Yes</p> <p>If yes, please give details</p> <p>consultation responses incorporated name and address of respondent but these details will remain confidential.</p>						
<p><b>How was this analysis undertaken? Facilitated workshop? Who attended?</b></p>	<p>Details of the proposal and response forms were sent to a wide range of interested parties in line with statutory guidance, and details were also made available on the Council's website. All responses were recorded and analysed to be taken into consideration by the decision maker. Personal appointments were also offered at the school to interested parties for further discussion.</p>						
<p><b>Are you confident that everyone who should have been involved in producing this version of the Impact Analysis has been?</b></p>	<p>Yes</p> <p>If No, who needs to be involved?</p>						
<p><b>If this is new, or requires a decision by Councilors to revise, has this impact analysis been included with the committee report?</b></p>	<p>Yes</p> <p>If No, why?</p>						
<p><b>Actions required</b> Including any actions that have been identified in this analysis for monitoring in the service area workplan?</p>	<table border="1"> <thead> <tr> <th>Action</th> <th>Lead Officer</th> <th>Timescale</th> </tr> </thead> <tbody> <tr> <td>N/A</td> <td>N/A</td> <td>N/A</td> </tr> </tbody> </table>	Action	Lead Officer	Timescale	N/A	N/A	N/A
Action	Lead Officer	Timescale					
N/A	N/A	N/A					
<p><b>Signed off by</b></p>	<p>Michelle Andrews</p> <p><b>Date</b></p> <p>14-May-13</p>						

### Open Report on behalf of Debbie Barnes, Director of Children's Services

Report to:	<b>Children and Young People Scrutiny Committee</b>
Date:	<b>14 June 2013</b>
Subject:	<b>Proposal for a new primary Academy in Bourne (submission to Secretary of State of results and evaluation of process to identify an operator)</b>

#### Summary:

This report invites the Children and Young People Scrutiny Committee to consider a report on the proposal for a new primary Academy in Bourne (submission to Secretary of State of results and evaluation of process to identify an operator) which is due to be considered by the Executive Councillor for Adult Care, Health Services and Children's Services on 28 June 2013. The views of the Scrutiny Committee will be reported to the Executive Councillor as part of her consideration of this item.

#### Actions Required:

- (1) To consider the attached report and to determine whether the Committee supports the recommendation to the Executive Councillor for Adult Care, Health Services and Children's Services set out in the report.
- (2) To agree any additional comments to be passed to the Executive Councillor for Adult Care, Health Services and Children's Services in relation to this item.

#### 1. Background

The Executive Councillor for Adult Care, Health Services and Children's Services is due to consider the report on the proposal for a new primary Academy in Bourne (submission to Secretary of State of results and evaluation of process to identify an operator). The full report to the Executive Councillor is attached at Appendix 1 to this report.

#### 2. Conclusion

Following consideration of the attached report, the Committee is requested to consider whether it supports the recommendation in the report and whether it wishes to make any additional comments to the Executive Councillor for Adult Care, Health Services and Children's Services. The Committee's views will be reported to the Executive Councillor.

### 3. Consultation

#### a) Policy Proofing Actions Required

Not applicable

### 4. Appendices

These are listed below and attached at the back of the report	
Appendix 1	Report and Appendices to the Executive Councillor for Adult Care, Health Services and Children's Services on Proposal for a new primary Academy in Bourne (submission to Secretary of State of results and evaluation of process to identify an operator)

### 5. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Michelle Andrews, who can be contacted on 01522 553269 or [Michelle.andrews@lincolnshire.gov.uk](mailto:Michelle.andrews@lincolnshire.gov.uk) .

**Open Report on behalf of Debbie Barnes, Director of Children's Services**

Report to:	<b>Mrs P A Bradwell, Executive Councillor for Adult Care, Health Services and Children's Services</b>
Date:	<b>28 June 2013</b>
Subject:	<b>Proposal for a new primary Academy in Bourne (submission to Secretary of State of results and evaluation of process to identify an operator)</b>
Decision Reference:	<b>02108</b>
Key decision?	<b>Yes</b>

**Summary:**

The County Council has a statutory duty to provide sufficient school places for all Lincolnshire children. There is expected to be a shortfall of required places in Bourne with sufficient local demand to justify the need for a new primary school which will serve the local community and meet parental demand.

This report follows on from the Executive Councillor report discussed at Children and Young People Scrutiny Committee (CYPSC) on 7 September 2012 when the committee resolved that support be given to the proposal for a new primary school in Bourne to open in September 2014. It was also proposed by the committee that in order to find a suitable operator to run the school in Bourne the process should be followed as detailed in the report to the Executive Councillor entitled "The process for setting up a new school/academy, including the assessment of potential operators, for future new academies/free schools in Lincolnshire" which was also considered by the CYPSC on 7 September.

This report is to update on the progress of the proposal for a new primary Academy in Bourne now that the evaluation process for finding a suitable operator has been completed.

A site for the school has been secured. The Section 106 agreement for an education contribution from the developer will provide a site on Elsea Park and a capital contribution towards the cost of creating a 1 Form Entry (1FE) primary school. Formal applications were submitted by three organisations looking to become the operator of the new Academy. These have been assessed by an evaluation panel and further details of this assessment together with the results of the scoring process are included in this report.

This report seeks to advise the Executive Councillor on approving the assessment and evaluation of the proposals and the selection of the preferred operator to be submitted to the Secretary of State who will make the final decision regarding the choice of operator of the new Primary Academy in Bourne.

**Recommendation(s):**

The Executive Councillor is recommended to approve the submission of the following to the Secretary of State as the Council's assessment of the proposals received in respect of the proposed operator of a new primary Academy in Bourne:-

The scoring of the proposals;  
The comments of the CYPSC; and  
Confirmation of the Council's preferred operator as Bourne Abbey Church of England Primary Academy

**Alternatives Considered:**

1. Not to submit an assessment of the proposals received or the selection of a preferred operator, and to begin the process again for finding a suitable operator. This would perhaps only be appropriate if none of the applications were deemed to be suitable. This however is not the case as the assessment process demonstrated that there is at least one suitable operator from the applications received. To begin the process again would also take considerable time, and when an alternative operator were found they would have less time to plan for the opening of the new Academy in September 2014.
2. That the Secretary of State is forwarded the proposals, the scores and the scrutiny comments but no selection of a preferred operator by the Council. Departmental Advice (Appendix A) does not require the Council to state a preference. However, if a Local Authority (LA) does have a preference as a result of the assessment carried out then that preference will be taken into consideration by the Secretary of State when deciding whether or not to enter into a Funding Agreement with any of the proposers.

**Reasons for Recommendation:**

The recommendation recognises the advice on how to manage the selection process for an operator for a new school/Academy but widens the scope of the assessment to be submitted beyond that advised in the Departmental Advice to include additional criteria by which the operators were assessed, and to incorporate the comments of CYPSC. This is to ensure a full and robust process for the overall assessment of the proposals received and is in the interest of providing the Secretary of State with the fullest detail on which to base his decision.

**1. Background**

The LA is the commissioner of school places with a statutory duty to ensure that there are sufficient school places across the whole of Lincolnshire. National birth rates have been steadily rising in recent years having an impact on the demand for



places in the primary sector. Bourne is an area of Lincolnshire that is experiencing similar pressure. The significant housing development of Elsea Park has also contributed to the rising pupil numbers in Bourne justifying the need for a new primary Academy of 1 FE (210 places/intake of 30 per year group).

On 1 February 2012 the Education Act 2011 introduced changes to the legislation relating to the process for establishing new schools including the Academy/Free School presumption. (Further details in Appendix A attached) Where a LA identifies the need to establish a new school, the new section 6A of Education and Inspections (EIA) 2006 places the authority under a duty to seek proposals to establish an Academy/Free School. Once the LA has identified an appropriate site and secured the funding through the capital programme the next step in the process is to seek proposals for an operator for the new Academy. This process, (attached as Appendix B), was set up following guidance issued by the Department for Education (DfE) and finalised as per the CYPSC report of 7<sup>th</sup> September 2012 referred to above. Full details of the process followed for the proposal for the new Academy in Bourne are provided in the Consultation section below.

## **2. Conclusion**

A decision is required from the Executive Councillor to approve the submission of information to the Secretary of State as set out in this report regarding the proposed operator of the new Primary Academy in Bourne. This takes into account the non-binding advice of the DfE. The final decision of the choice of operator then rests with the Secretary of State.

### **3. Legal Comments:**

The legal issues to be taken into account in the making of this decision, which is within the remit of the Executive Councillor, are fully set out in this report.

### **4. Resource Comments:**

There are no significant financial implications arising from the recommendation in this report, i.e. to approve submission to the Secretary of State of the Council's assessment of the proposals for a new operator.

The building of a new school will have financial implications and will give rise to the capital costs being met in part from the s.106 arrangements, and the on-going revenue costs being funded from the Dedicated Schools Grant.

## **5. Consultation**

The LA has co-ordinated the process throughout following guidance from the DfE.

The need for additional places in Bourne was consulted on with LA officers from Admissions, School Transport, Children's Services Directorate Management Team

and the Executive Councillor for Children's Services. Head teachers from neighbouring primary schools in Bourne were also contacted to discuss the proposal to build a new school on Elsea Park.

The process to secure an operator for the Academy commenced on 1 October 2012 with letters being sent out to a wide range of interested parties (list attached as Appendix C) including all mainstream operators of education in Lincolnshire. (Letter attached as Appendix D) The information was also published on the Lincolnshire County Council website. The DfE passed on this information via the Independent Academies Association and the New Schools Network to an established list of potential operators and sponsors across the country. All individuals and organisations that expressed an interest in the proposal were provided with an application pack. (Appendix E)

After the closing of the application period on 16 November 2012 an evaluation panel was set up to consider the three applications that were submitted. The panel comprised the Assistant Director for Children's Services, a Lincolnshire County Councillor, a representative from the Lincolnshire CYPSC and two Head teachers of Lincolnshire LA maintained Primary Schools. The panel, which met on 20 December 2012, was also supported by an independent advisor from Children's Commissioning and officers from Children's Services.

The panel thoroughly discussed and scored each of the applications using a scoring and weighting system (copy attached as Appendix F) applied to the agreed criteria of G1 – G10 which were specified in the application pack provided to all applicants. The criteria G1 – G10 on which the scoring was based are listed in the attached Appendix G.

All three applicants were judged to be potentially suitable operators and were therefore all invited to participate in the next round of the assessment process to enable them to clarify and/or expand on their submissions. Applicants were asked to prepare a presentation entitled *"If we visited the Academy in five years time please explain to us what would make the Academy special and stand out from other schools/Academies?"* and advised that in addition to questions arising out of their presentation the panel would also be asking further questions. These 5 questions were scored by the panel using the same scoring basis of 0 – 5 as in the initial evaluation (Appendix F) although no weighting was incorporated. Each of the questions was asked of all three applicants who were not given the questions until the day of the presentations (copy of questions attached as Appendix I). Scores were allocated by the panel to the presentations and the 5 additional questions.

The scores from the panel evaluation day and the presentation/interview day were combined to produce an overall score for each applicant. One of the applicants subsequently withdrew from the process and therefore their scores are not included within this report. Appendix H, attached to this report, details the scores achieved by the two remaining applicants. At a further meeting the panel unanimously agreed that the proposal submitted by Bourne Abbey Church of England Primary Academy met all of the criteria to a 'good' standard or better and wished to confirm them as the preferred operator to the Secretary of State.

**a) Has Local Member Been Consulted?**

Yes. The local member has been made aware of the proposal for a new Primary Academy in Bourne and has had discussions with the Executive Councillor and LA Officers.

**b) Has Executive Councillor Been Consulted?**

Yes. The Executive Councillor has been fully involved in the discussions regarding the proposal for a new Primary Academy in Bourne.

**c) Scrutiny Comments**

The CYPSC considered this report at its meeting on 14 June 2013. Comments from this meeting are included below to inform the Executive Councillor when making her final decision which is due on 28 June 2013:-

**d) Policy Proofing Actions Required**

An Impact Analysis regarding the selection of the preferred operator has been completed and is attached to this report as Appendix J. In summary the analysis is indicative of a positive impact in that the operator, as selected by the Secretary of State, will be one of the suitable applications which have been submitted by well established and successful organisations with proven background in educational provision to the highest standard, also having sound financial backing together with well resourced and experienced support teams.

**6. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Departmental Advice
Appendix B	Process map to open a new Academy
Appendix C	List of Interested Parties
Appendix D	Letter to commence consultation
Appendix E	Application Pack
Appendix F	Scoring mechanism
Appendix G	Criteria G1 - G10
Appendix H	Scores awarded to each applicant
Appendix I	5 Questions asked at presentation/interview day
Appendix J	Impact Analysis of selection of operator

**7. Background Papers**

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
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Proposed New Primary School for Bourne	Lincolnshire County Council CYPSC records 7 September 2012
The process for setting up a new school/Academy, including the assessment of potential operators, for future new Academies/free schools in Lincolnshire	Lincolnshire County Council CYPSC records 7 September 2012

This report was written by Michelle Andrews, who can be contacted on 01522 553269 or [Michelle.andrews@lincolnshire.gov.uk](mailto:Michelle.andrews@lincolnshire.gov.uk).

## **ESTABLISHING A NEW SCHOOL**

### **DEPARTMENTAL ADVICE FOR LOCAL AUTHORITIES AND NEW SCHOOL PROPOSERS**

#### **ABOUT THIS DEPARTMENTAL ADVICE**

1. On 1 February 2012, section 37 of the Education Act 2011 was commenced, introducing Schedule 11 of the Act. This makes changes to part 2 of the Education and Inspections Act 2006 in relation to the process for establishing new schools, including the academy/Free School presumption. This advice is non-statutory and has been produced to help new school proposers and local authorities understand their duties in relation to these changes.

#### **EXPIRY/REVIEW DATE**

2. This advice will be reviewed by October 2012.

#### **WHAT LEGISLATION DOES THIS ADVICE RELATE TO?**

- The Education Act 2011 (EA 2011)
- The Education and Inspections Act 2006 (EIA 2006)
- The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007, as amended (Establishment and Discontinuance Regulations)

#### **WHO IS THIS ADVICE FOR?**

3. This advice is for:
- Local authorities;
  - New school proposers; and
  - Dioceses and Diocesan Boards of Education.

#### **KEY POINTS**

- The new “presumption” for an academy/Free School requires local authorities to seek proposals to establish an academy/Free School in the first instance where they identify a need for a new school.
- Local authorities must continue to plan for and secure sufficient schools for their area in line with their duties under section 14 of the Education Act 1996.
- Local authorities should assess the proposals they receive against the criteria in paragraph 12 below before forwarding all of the proposals to the Secretary of State. He will take into consideration any preference they indicate.
- Local authorities can no longer hold a school competition without the Secretary of State’s consent, nor enter their own community or foundation school proposals into a competition.
- Despite the academy/Free School presumption, in certain exceptional circumstances it is still possible to publish proposals for a new maintained

- school outside of a competition, under sections 10 or 11 of the EIA 2006.
- The Secretary of State's consent is no longer required to publish certain proposals, including those for the establishment of new voluntary aided schools, primary schools resulting from infant/junior amalgamations, and new schools resulting from the reorganisation of existing faith provision.
- "Academy" is the legal term which also includes Free Schools of all types, University Technical Colleges (UTCs) and some Studio Schools, including 16-19 and alternative provision (PRU) establishments. This document uses "academy/Free School" as the collective term for these types of schools.
- "Proposer" in this document refers to the body or group that is proposing the new school.

## **THE EDUCATION ACT 2011**

4. Section 37 of EA 2011 introduces Schedule 11, which makes a number of changes to the process for establishing new schools. In particular, it introduces new section 6A of EIA 2006 which sets out the academy/Free School presumption. It makes changes to the existing school competition arrangements (amended section 7 of EIA 2006) and removes the need for local authorities and other proposers to seek the Secretary of State's consent before publishing proposals for certain types of new maintained schools (amended sections 10 and 11 of EIA 2006).

### **ACADEMY/FREE SCHOOL PRESUMPTION (under section 6A of EIA 2006)**

5. Flow chart A at Annex A of this document sets out the revised process for establishing new school provision under the academy/Free School presumption (section 6A) and the new competition process (section 7).

6. Existing statutory requirements mean that local authorities, in their role as commissioners, must plan and secure sufficient schools for their area. Where a local authority identifies the need to establish a new school, new section 6A of EIA 2006 places the authority under a duty to seek proposals to establish an academy/Free School and to specify a date by which proposals must be submitted.

7. It will be for local authorities to decide how best to do this, how to consult on the proposed new school and with whom (e.g. local community, Diocese and any others affected by the proposals). They should be clear from their school place planning about the type (e.g. mainstream, special educational needs, alternative provision), age range, gender and capacity of the academy/Free School they wish to see established.

8. The local authority should take steps to ensure that groups or organisations that might be interested in establishing the new school are aware of the opportunity.

9. The local authority should notify the Department at the outset of its intention to seek proposals for a new academy/Free School and confirm the site it will make available and that it will provide all the capital funding needed to establish the school (as they were required to do for academies established through the previous school competition process). The Department will publish on its website (<http://www.education.gov.uk/schools/leadership/schoolorganisation>) details of those local authorities that are seeking to establish new schools, including links to their

websites. The Department will also inform the Independent Academies Association and New Schools Network, to alert potential proposers/sponsors to the new school's requirements.

10. Once the specified date for academy/Free School proposals has passed, the local authority should send the Secretary of State a notification setting out:

- the steps the authority has taken to seek proposals for an academy/Free School;
- copies of all proposals submitted and the authority's assessment of the proposals;
- confirmation that the authority will provide the required site and all the capital funding needed to establish the new school.

11. The local authority is responsible for meeting project development costs. For lead-in and setup costs, the Department will discuss with the local authority on a case by case basis to identify and agree the most appropriate mechanism to meet these. Until longer term funding arrangements are agreed, the expectation is that local authorities will contribute to these costs. A consultation document on funding reform was published on 26 March 2012.

12. The local authority should provide the Department with an assessment of the proposals it has received, based on the following 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.

13. The local authority may state its preference, which the Secretary of State will take into consideration when deciding whether or not to enter into a Funding Agreement with any of the proposers.

14. The notification should be submitted to the Department for Education ([school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk)).

15. Where a suitable proposer is identified, it will be for the proposer to work to establish the new academy/Free School with support from the local authority and the Department, as required. The local authority will continue to have an interest because of its duties to secure sufficient suitable schools.

## **OTHER IMPORTANT CHANGES**

### **SCHOOL COMPETITIONS (under section 7 of EIA 2006)**

16. If there is no suitable academy/Free School proposal, a statutory competition can be held with the consent of the Secretary of State (section 7(1)). This will not require a separate application for consent, since the Secretary of State will indicate to the local authority that a competition can be held, if he is satisfied that there is no suitable academy/Free School proposal.

17. Where consent to hold a competition is given, the local authority must follow the statutory process set out in Schedule 2 to the EIA 2006 (as amended by EA 2011) and the Establishment and Discontinuance Regulations.

18. Significant changes made by EA 2011 are:

- The removal of section 8 EIA 2006, which means that local authorities can no longer submit their own community or foundation school proposals in a competition).
- The new section 7A EIA 2006, which means that at any time before the date specified for the return of proposals, the Secretary of State may direct a local authority to withdraw a competition notice; or, a local authority may withdraw a competition notice with the Secretary of State's consent. This allows a competition to be ended where circumstances have changed e.g. where the new school is no longer needed or an alternative option is found, such as the enlargement of one or more existing schools instead.

19. Academy/Free School proposals and proposals for foundation (by proposers other than a local authority), voluntary controlled and voluntary aided schools, can be submitted into the competition by the deadline specified in the first notice.

### **COMPETITION – DECISION MAKING**

20. The arrangements for deciding a competition have also changed. Since local authorities cannot enter their own school proposals, the Schools Adjudicator will no longer have a role in deciding competitions (unless the local authority is involved in the foundation of a proposed foundation school – paragraph 10 of Schedule 2 EIA 2006).

21. Important changes arising from EA 2011 are:

- Where an academy/Free School proposal is entered into a competition by the specified deadline, the Secretary of State must consider these proposals first to decide whether he is willing, in principle, to enter into a Funding Agreement with the academy/Free School proposer (paragraph 7A of Schedule 2 EIA 2006).
- If an academy/Free School proposal is deemed suitable, the competition ends and the proposer works with the Department and local authority to progress its proposal.



- If an academy/Free School proposal is not considered suitable, or no academy/Free School proposal is received, the competition continues and it is for the local authority to decide which maintained school proposal wins (paragraph 8 of Schedule 2 EIA 2006, subject to the local authority's involvement in any foundation school's foundation); there is no right of appeal.
- Where a competition does not identify a suitable academy/Free School or maintained school, the local authority may publish its own community or foundation school proposal under amended section 11 of EIA 2006; the Schools Adjudicator will be the decision maker in such cases.

**ESTABLISHING A NEW MAINTAINED SCHOOL OUTSIDE OF A COMPETITION  
(under section 10 or section 11 of EIA 2006)**

22. It is still possible to publish proposals for maintained schools in certain circumstances as set out below. Flow chart B at Annex A of this document sets out the statutory process for establishing a new maintained school under sections 10 and 11. Proposals under section 10 require Secretary of State consent.

**MAINTAINED SCHOOL PROPOSALS – SPECIAL CASES (under section 11 of EIA 2006)**

23. In the interests of reducing bureaucracy, the consent of the Secretary of State is no longer required to publish maintained school proposals in the circumstances outlined below.

24. Further detail about these special cases is given in section 11 of EIA 2006, as amended by EA 2011:

- proposals for a new voluntary aided school;
- proposals for a new community or foundation primary school that is to replace a maintained infant and a maintained junior school;
- proposals for a new school resulting from the reorganisation of existing faith schools in an area, including an existing faith school losing or changing its religious designation; or
- local authority proposals for a new foundation or community school, where suitable academy/Free School proposals have not been identified and a competition has been held but did not identify a suitable provider.

25. Proposals for former independent schools wishing to join the maintained sector and new local authority maintained nursery schools can still be published under section 11, as before.

26. In each case a statutory process, as set out in Schedule 2 to EIA 2006 and the Establishment and Discontinuance Regulations, must be undertaken. The Schools Adjudicator will decide local authority proposals, and local authorities will decide proposals from other proposers (except foundation school proposals where the local authority is involved as a member of the foundation (Trust), in which case the Adjudicator will be the decision maker).

## **OTHER NEW MAINTAINED SCHOOL PROPOSALS (under section 10 EIA 2006)**

27. Where an academy/Free School approach is not considered to be appropriate and the proposal does not fall under section 11 special cases, it is still possible to apply to the Secretary of State for consent to publish proposals for replacement community schools, or brand new or replacement foundation or voluntary controlled maintained schools. Each application will be considered on its merits and the particular circumstances of the case, including whether the need for a new school might be better met by an academy/Free School. Where consent is given to publish new maintained school proposals, a statutory process must be followed, as set out in Schedule 2 to EIA 2006 and the Establishment and Discontinuance Regulations.

## **TRANSITIONAL PROVISIONS**

28. Proposals published under sections 7 (where the first notice, inviting proposals for the new school, has been published), 10 or 11 of EIA 2006 prior to the commencement date of the relevant provisions of EA 2011 on 1 February 2012, must continue under the relevant legislation in place prior to the commencement of the new EA 2011 provisions, until they are concluded.

## **FURTHER SOURCES OF INFORMATION**

### **Associated resources (external links):**

- Education Act 2011  
<http://www.legislation.gov.uk/ukpga/2011/21/contents/enacted>
- Education and Inspections Act 2006  
<http://www.legislation.gov.uk/ukpga/2006/40/contents>
- Academies Act 2010 <http://www.legislation.gov.uk/ukpga/2010/32/contents>
- New Schools Network – An independent organisation devoted to improving education  
<http://newschoolsnetwork.org/>
- Independent Academies Association – A national body which is regularly consulted by government and opposition on matters relating to educational change and development  
<http://www.iaa.uk.net>

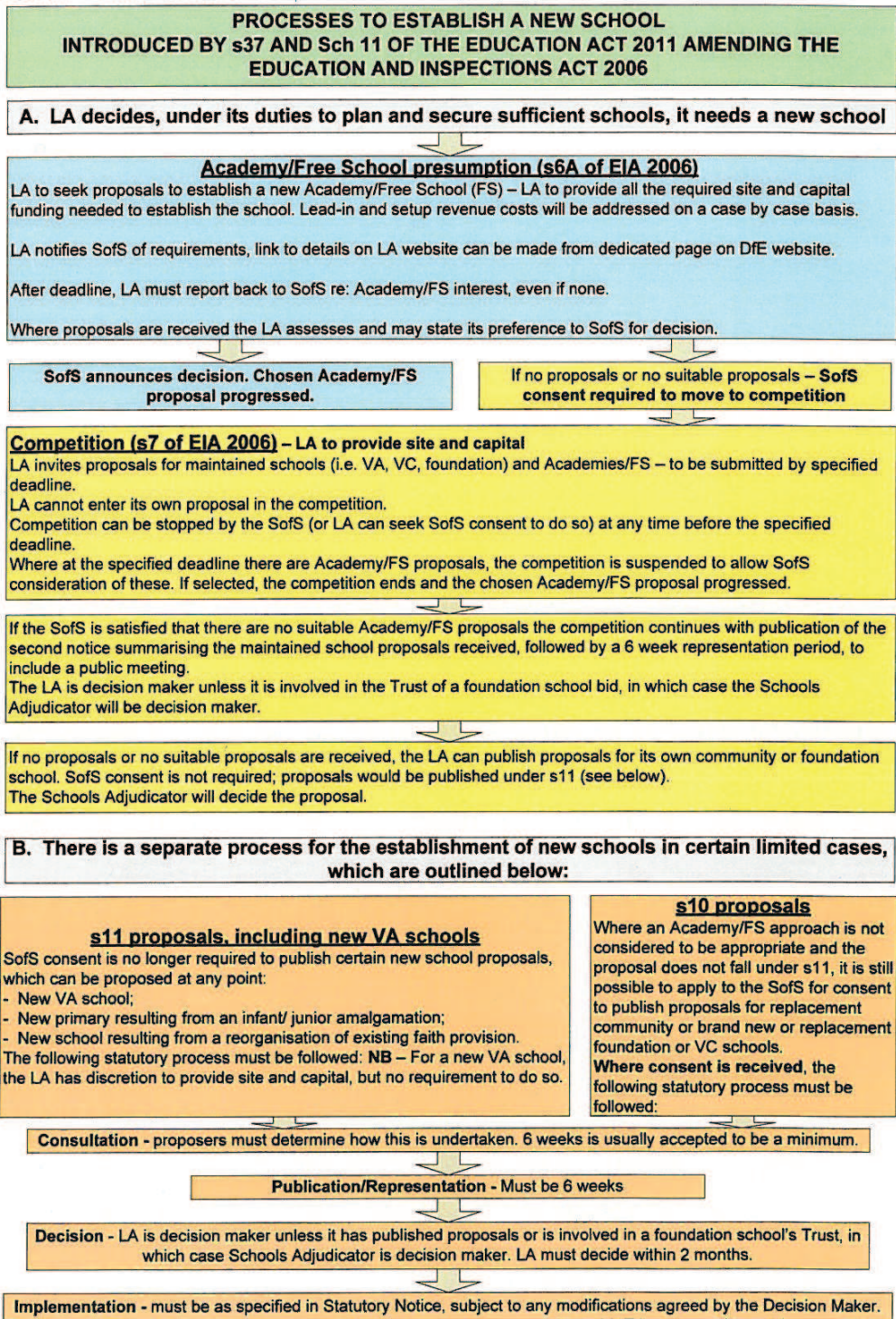
You may also be interested in (internal links):

- Keeling Schedule for section 37 (Schedule 11)  
<http://www.education.gov.uk/aboutdfe/departentalinformation/educationbill/a0077986/education-bill-keeling-schedules>
- School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007

<http://www.education.gov.uk/schools/leadership/schoolorganisation/a00192027/school-organisation-decision-table>

- Free Schools  
<http://www.education.gov.uk/schools/leadership/typesofschools/freeschools>
- Sponsored Academies  
<http://www.education.gov.uk/schools/leadership/typesofschools/academies>
- University Technical Colleges and Studio Schools  
<http://www.education.gov.uk/schools/leadership/typesofschools/technical>

**Annex A – Flow Chart**

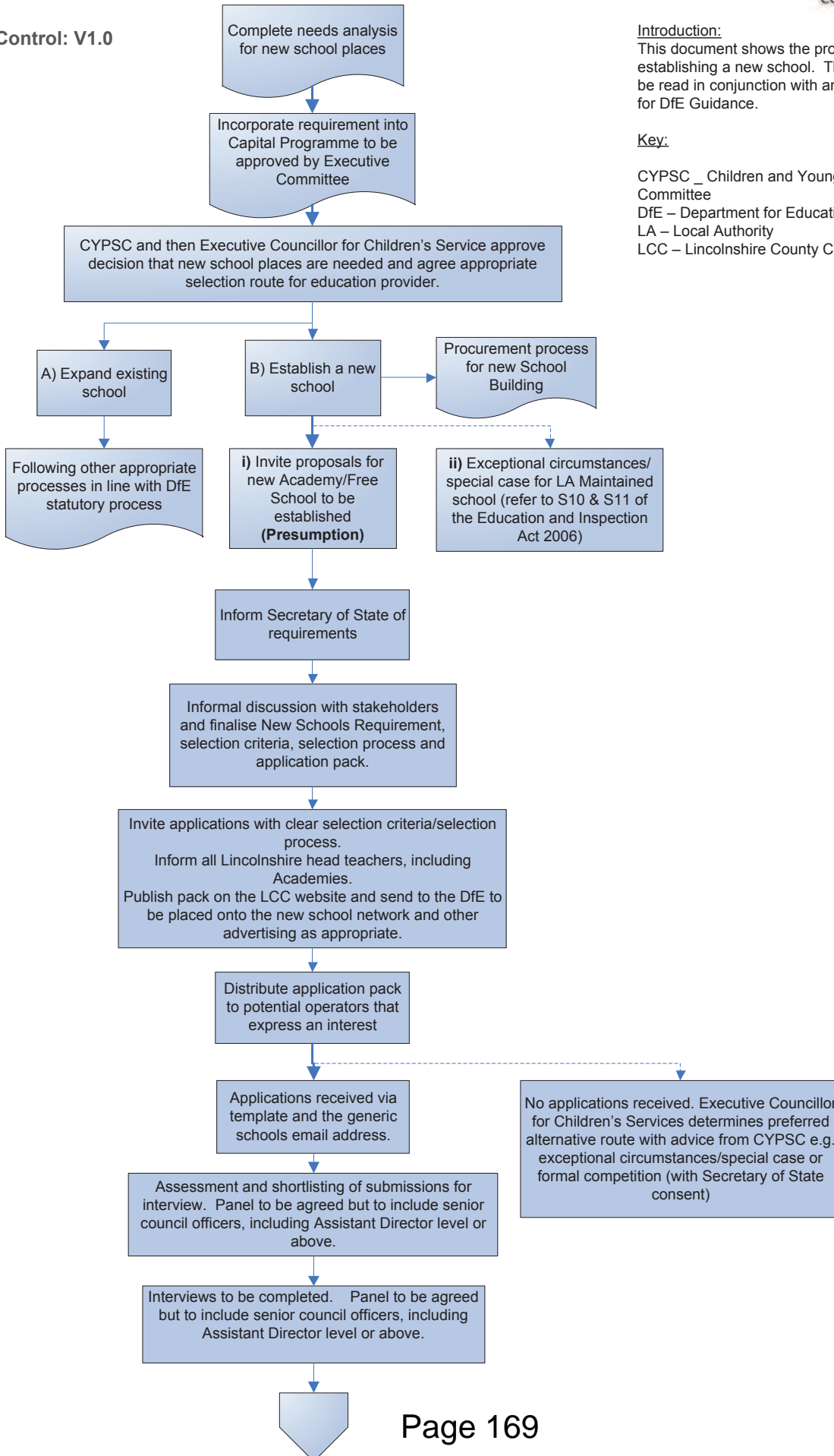


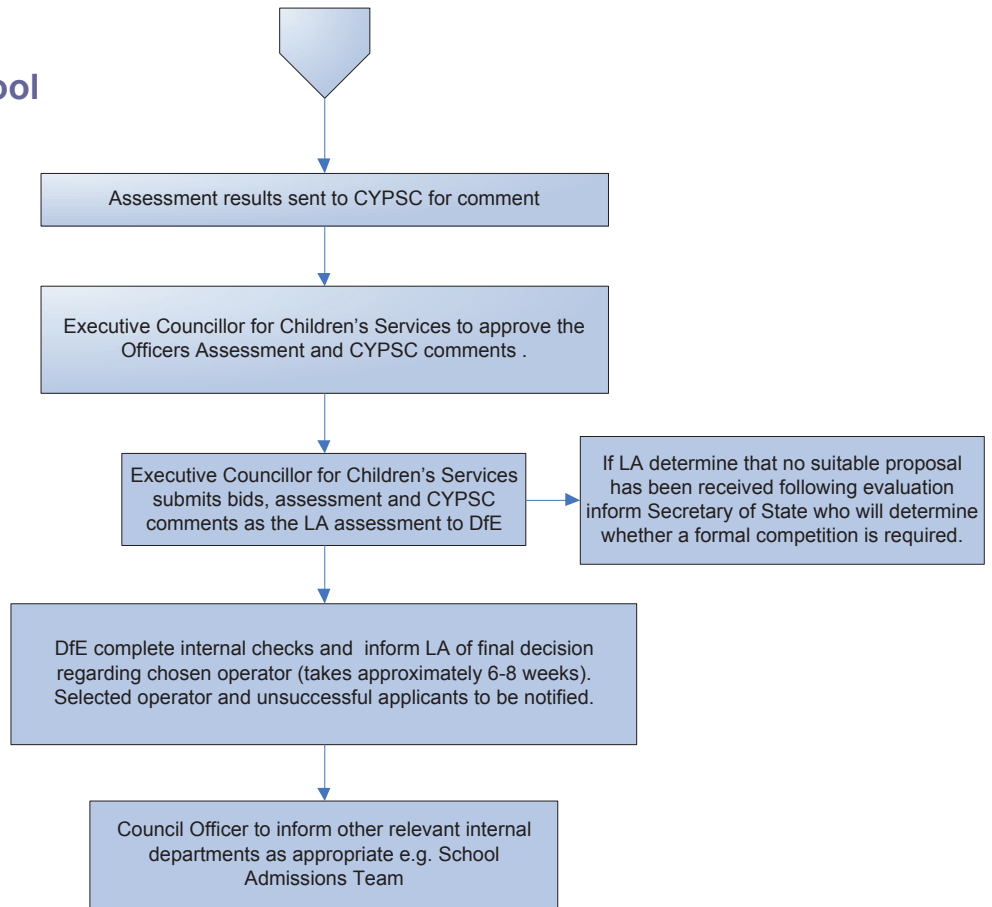
**Children's Services**  
**Establishing a New School Operator Procedure**  
 Page 1 of 2

Version Control: V1.0

Introduction:  
 This document shows the process map for establishing a new school. This process should be read in conjunction with and is not a substitute for DfE Guidance.

Key:  
 CYPSC \_ Children and Young People's Scrutiny Committee  
 DfE – Department for Education  
 LA – Local Authority  
 LCC – Lincolnshire County Council





APPENDIX C

Interested Parties list for proposed new primary Academy at Elsea Park in Bourne		
Interested Party	Name	Contact Details
Message on Int Comms		
Details on LCC website		
DfE for their website and to forward to IAA and NSN		
Details on George		
Leader of Council	Cllr Hill	<a href="mailto:cclrm.hill@lincolnshire.gov.uk">cclrm.hill@lincolnshire.gov.uk</a>
Executive Councillor	Cllr Mrs P Bradwell & Cllr A P Williams	<a href="mailto:cclrp.bradwell@lincolnshire.gov.uk">cclrp.bradwell@lincolnshire.gov.uk</a> , <a href="mailto:cclra.williams@lincolnshire.gov.uk">cclra.williams@lincolnshire.gov.uk</a>
County Councillors	Sue Woolley	<a href="mailto:CllrS.Woolley@lincolnshire.gov.uk">CllrS.Woolley@lincolnshire.gov.uk</a>
	Charlotte Farquharson	<a href="mailto:CllrC.Farquharson@lincolnshire.gov.uk">CllrC.Farquharson@lincolnshire.gov.uk</a>
Head of Strategy	Kevin Kendall	<a href="mailto:Kevin.Kendall@lincolnshire.gov.uk">Kevin.Kendall@lincolnshire.gov.uk</a>
LCC Chief Execs office- DMT/SMT/Management Board	Debbie Barnes and Meredith Teasdale	<a href="mailto:Debbie.barnes@lincolnshire.gov.uk">Debbie.barnes@lincolnshire.gov.uk</a> , <a href="mailto:meredith.teasdale@lincolnshire.gov.uk">meredith.teasdale@lincolnshire.gov.uk</a>
CfBT	Andy Breckon	<a href="mailto:Andy.breckon@cfbt.com">Andy.breckon@cfbt.com</a> , <a href="mailto:CPayne@cfbt.com">CPayne@cfbt.com</a>
CfBT primary	Tim Culpin	<a href="mailto:tculpin@cfbt.com">tculpin@cfbt.com</a>
CfBT secondary	Fred Morris, Keith Baty	<a href="mailto:kbaty@cfbt.com">kbaty@cfbt.com</a> , <a href="mailto:fmorris@cfbt.com">fmorris@cfbt.com</a>
CfBT	Steve Capper	<a href="mailto:scapper@cfbt.com">scapper@cfbt.com</a>
CfBT strategic projects incl SEN	Paul Snook	<a href="mailto:psnook@cfbt.com">psnook@cfbt.com</a> , <a href="mailto:sgregory@cfbt.com">sgregory@cfbt.com</a>
CfBT CPD	Tim Lomas	<a href="mailto:tlomas@cfbt.com">tlomas@cfbt.com</a>
School Administration	Adrian Flowers	<a href="mailto:Adrian.Flowers@lincolnshire.gov.uk">Adrian.Flowers@lincolnshire.gov.uk</a>
	David Robinson	<a href="mailto:david.robinson@lincolnshire.gov.uk">david.robinson@lincolnshire.gov.uk</a>
	John O'Connor	<a href="mailto:john.oconnor@lincolnshire.gov.uk">john.oconnor@lincolnshire.gov.uk</a>
	Helen Clark	<a href="mailto:helen.clark@lincolnshire.gov.uk">helen.clark@lincolnshire.gov.uk</a>
	Lynn Yap	<a href="mailto:Lynn.Yap@lincolnshire.gov.uk">Lynn.Yap@lincolnshire.gov.uk</a>
	Ruth Mayers	<a href="mailto:Ruth.Mayers@lincolnshire.gov.uk">Ruth.Mayers@lincolnshire.gov.uk</a>
	Steve Gamble	<a href="mailto:Steven.Gamble@lincolnshire.gov.uk">Steven.Gamble@lincolnshire.gov.uk</a>
Exclusions	Phil Whitworth	<a href="mailto:phil.whitworth@lincolnshire.gov.uk">phil.whitworth@lincolnshire.gov.uk</a>
SEN Head of Service	Gary Nixon	<a href="mailto:gary.nixon@lincolnshire.gov.uk">gary.nixon@lincolnshire.gov.uk</a>
SEN	Julia Andrews	<a href="mailto:Julia.Andrews@lincolnshire.gov.uk">Julia.Andrews@lincolnshire.gov.uk</a>
Early years/extended provision	Sheridan Dodsworth	<a href="mailto:Sheridan.dodsworth@lincolnshire.gov.uk">Sheridan.dodsworth@lincolnshire.gov.uk</a>
	Julie Grindley	<a href="mailto:Julie.Grindley@lincolnshire.gov.uk">Julie.Grindley@lincolnshire.gov.uk</a>
	Steph Douglas	<a href="mailto:steph.douglas@cfbt.com">steph.douglas@cfbt.com</a>
Inclusion and Attendance Service	Jill Chandar-Nair	<a href="mailto:Jill.Chandar-Nair@lincolnshire.gov.uk">Jill.Chandar-Nair@lincolnshire.gov.uk</a>
Safeguarding Children in Education	Nikki Neale	<a href="mailto:Nikki.Neale@lincolnshire.gov.uk">Nikki.Neale@lincolnshire.gov.uk</a>
Finance LCC	Tony Warnock	<a href="mailto:tony.warnock@lincolnshire.gov.uk">tony.warnock@lincolnshire.gov.uk</a>
	Carla Snowshall	<a href="mailto:Carla.Snowshall@lincolnshire.gov.uk">Carla.Snowshall@lincolnshire.gov.uk</a>
	Rachel Humphries	<a href="mailto:rachel.humphreys@lincolnshire.gov.uk">rachel.humphreys@lincolnshire.gov.uk</a>
	Debra Williams	<a href="mailto:debra.williams@lincolnshire.gov.uk">debra.williams@lincolnshire.gov.uk</a>
Finance Mouchel	Eizabeth Bowes	<a href="mailto:Elizabeth.Bowes@mouchel-lincoln.com">Elizabeth.Bowes@mouchel-lincoln.com</a>
	Jackie Allen	<a href="mailto:Jackie.Allen@mouchel-lincoln.com">Jackie.Allen@mouchel-lincoln.com</a>
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## APPENDIX C

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<b>Schools and Academies in Lincolnshire</b>	all Headteachers	to be sent by the ecourier service
<b>Gov Bodies of all schools and Academies in Lincolnshire</b>	All Chairs of GBs	to be sent by the ecourier service
<b>Expressions of Interest received before process commenced</b>	Jan Cross	<a href="mailto:jandee@image-makers.co.uk">jandee@image-makers.co.uk</a>
<b>Builder of development at Elsea Park</b>	Daniel Brown	<a href="mailto:daniel.browne@kier.co.uk">daniel.browne@kier.co.uk</a>



Children's Services  
County Offices, Newland, Lincoln  
LN1 1YQ  
Tel: 01522 782030  
Fax Number 01522 553257

1 October 2012

### **Proposal for a new mainstream primary school (age 4-11) in Bourne**

The County Council has a statutory duty to provide sufficient school places for all Lincolnshire children. It has been well publicised in the national press that many local authorities across the country are having to find additional primary school places for unprecedented numbers of pupils in urban areas. Parts of Lincolnshire are experiencing similar pressures. This includes the town of Bourne where there is expected to be a significant shortfall of required places in the future if additional provision is not made available.

The main contributing factors for the increase in numbers are an increased birth rate and new housing developments, the largest being Elsea Park. This has resulted in sufficient demand to justify the need for a new local primary school to meet the needs of local families. The Local Authority (LA) is now in a position to seek planning permission and an operator for a new school.

The proposal is for a new 1FE (210 place) primary school/academy located within the Elsea Park development on a site designated for use as a primary school as proposed within the plans for this residential area which is still under construction. It is proposed to open with a Reception intake only, on a phased basis from September 2014.

The LA is finalising arrangements regarding the site and will manage the process and capital building projects up to completion, working closely with the new operator in the later stages of the project to determine final internal fixtures, fittings and décor. The LA will fund the project and the design will be based on a national template to achieve maximum cost efficiency and to minimise build time in line with the James Review. Under the Education Act 2011 there is a presumption that any new school will be an academy and not LA maintained so the new provision for Bourne will be an academy. Any interested potential operator or sponsor should request an application pack by emailing [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk) or writing to 'Property and Technology Management' at the address above. All applications must be completed and returned by 16 November 2012. The LA will carry out an assessment of all applications received and has the option to select a preferred sponsor for recommendation to the Secretary of State who is the decision maker regarding the selection of the operator.

The LA would also like to take this opportunity to assure you that a new academy in this area should have minimal effect on the numbers on roll at other nearby schools. There is expected to be sufficient long term demand for places to sustain all existing schools and academies in addition to the proposed new academy. The LA would welcome discussion with any school, academy or interested party that would consider being part of this exciting opportunity in Bourne.

I look forward to hearing from you in due course. If you have any questions regarding the proposal or the process then please do not hesitate to contact me.

Yours sincerely



**Matt Clayton**  
School Organisation Planning Manager  
Email [matthew.clayton@lincolnshire.gov.uk](mailto:matthew.clayton@lincolnshire.gov.uk)  
Direct Dial 01522 553535

**New School**  
**Sponsor Proposal**  
**Bourne Elsea Park Primary**  
**Academy**  
**Ref (for office use only)**

Issue Date: 1 October 2012

Return Date: 16 November 2012

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## SECTION 1 – PREAMBLE

### 1 GENERAL REQUIREMENTS

- 1.1 Proposals are invited for the running of a new primary Academy in Bourne, Lincolnshire on the Elsea Park development.
- 1.2 The Council's detailed requirements are defined in the New School Requirement document at Section 2.
- 1.3 Proposals must be submitted in accordance with the instructions set out in this document.

### 2 BACKGROUND

- 2.1 The County Council has a statutory duty to provide sufficient school places for all Lincolnshire children. It has been well publicised in the national press that many local authorities across the country are having to find additional primary school places for unprecedented numbers of pupils in urban areas. Parts of Lincolnshire are experiencing similar pressures. This includes the town of Bourne where there is expected to be a significant shortfall of required places in the future if additional provision is not made available.
- 2.2 The main contributing factors for the increase in numbers are an increased birth rate and new housing developments, the largest being Elsea Park. This has resulted in sufficient demand to justify the need for a new local primary school to meet the needs of local families. The Local Authority (LA) is now in a position to seek planning permission and an operator for a new school.
- 2.3 The proposal is for a new 1FE (210 place) primary school/academy located within the Elsea Park development on a site designated for use as a primary school as proposed within the plans for this residential area which is still under construction. It is proposed to open with a Reception intake only, on a phased basis from September 2014.

### 3 TIMETABLE

- 3.1 The following time-line is intended to be followed:

1	Sponsor Proposal documentation Issued	[1 October 2012]
2	Deadline for Proposals	[5.00pm 16 November 2012]
3	Evaluation of Proposals	[19/11/12 – 14/12/12]
4	Interviews / Presentations	[17/12/2012 – 17/01/2013]
5	Proposals and evaluation assessment Referred to DfE	[22 March 2013]
6	DfE Inform the Council of their Decision	Within 6-8 weeks
7	Announcement of Successful Operator	[to be made once confirmation received from DfE]

- 3.2 Please note the Council reserves the right to amend this time-table and steps 3, 4, 5, 6 and 7 and are provided for indicative purposes only. Following submission of written proposals, proposers may be asked to make a presentation to the evaluation panel. This will help to clarify any points arising from the written proposals and/or take the format of a given scenario which will form part of the evaluation of proposals. Actual dates for presentations will be agreed with proposers in due course and will be held within Lincolnshire. The Interviews / presentation may or may not be held depending on the outcome of the initial evaluation.
- 3.3 Throughout the evaluation process, the council reserves the right to seek clarifications from proposers, where this is considered necessary to achieve a complete understanding of the proposal received. In any event, should the evaluation panel, in its reasonable judgement, identify a fundamental failing or weakness in any proposal then that proposal may, regardless of its other merits, be excluded from further consideration although the DFE will still be sent the proposal.

#### **4 PROPOSALS AND ACCOMPANYING DOCUMENTS**

- 4.1 Proposal documentation may vary in detail, but we will:
- avoid over specifying a requirement,
  - invite a sufficient number of proposers to ensure fair competition, but remove barriers to participation by small proposers without discriminating against larger proposers
  - provide clear documentation
  - give all proposers equal opportunity
  - provide feedback to proposers
- 4.2 Proposals must be submitted on this Proposal Document, in Word format (unless otherwise specified), which must be duly completed and signed where appropriate. These include the:
- (a) Proposer Responses,
  - (b) Form of Proposal,
  - (d) Freedom of Information Disclosure Form.
- 4.3 Please answer every question as fully as possible. Please do not assume that the evaluators know about your organisation or the work that you do. Many new school opportunities generate a great deal of interest from potential proposers, so please ensure that you complete the documentation as requested. All figures should be in full, i.e. £3,500,000 not £3.5 million.

#### **5 SIGNATURES**

- 5.1 Where required, the Proposal must be signed:
- (a) where the Proposer is an individual, by that individual; OR
  - (b) where the Proposer is a partnership, by two duly authorised partners; OR

(c) where the Proposer is a limited company, by a director duly authorised for such purposes.

5.2 You may submit electronic or typed signatures. You may be requested at a later date to resign all declarations with an original signature.

## **6 SUBMISSION OF PROPOSALS**

6.1 This proposal should be submitted via email to:

The Property and Technology Management Team

Organisation: Lincolnshire County Council

Email: [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk)

No later than: 5.00pm on Friday 16 November 2012

6.2 The proposer's attention is specifically drawn to the date and time for receipt of proposals and no submission after the closing date and time will be considered.

## **7 FREEDOM OF INFORMATION**

7.1 Information in relation to this proposal may be made available on demand in accordance with the requirements of the Freedom of Information Act 2000.

7.2 Proposers should state on the form at Section 6 if any of the information supplied by them is confidential or commercially sensitive or should not be disclosed in response to a request for information under the Act. Proposers should state why they consider the information to be confidential or commercially sensitive and for how long.

7.3 This will not guarantee that the information will not be disclosed but will be examined in the light of the exemptions provided in the Act.

## **8 NON-EVALUATION OF PROPOSAL**

8.1 Any proposal submitted by a proposer in respect of which the proposer:

(a) enters into any agreement with any other person that such other person shall refrain from submitting a proposal or shall limit or restrict the proposal; or

(b) offers or agrees to pay or does pay or give any sum of money, inducement or valuable consideration directly or indirectly to any person for doing or having or causing or having caused to be done in relation to any other proposer or any other person's proposed proposal any act or omission; or

(c) in connection with the award of the Contract commits an offence under the Prevention of Corruption Acts 1889-1916 or gives any fee or reward the

receipt of which is an offence under Sub-Section (2) of Section 117 of the Local Government Act 1972;

- (d) has directly or indirectly canvassed any member or official of the Council concerning the acceptance of any proposal or who has directly or indirectly obtained or attempted to obtain information from any such member of official concerning any other proposer or proposal submitted by any other proposer;

shall not be evaluated by the Council, provided always that such non-acceptance or rejection shall be without prejudice to any other civil remedies available to the Council or any criminal liability which such conduct by a proposer may attract. The proposal shall still be sent to the DFE.

## **9 NON-CONSIDERATION OF PROPOSAL**

9.1 The Council may in its absolute discretion refrain from considering any proposal if:

- (a) it is not in accordance with the instructions in this document;
- (b) the proposer makes or attempts to make any variation or alteration to the terms of the proposal or the New School Requirements document except where a variation or alteration is invited or permitted in accordance with the terms of all or any of the proposal and the New School Requirements document; or
- (c) the proposer does not provide all the information required by the Council.

## **10 WEIGHTING CRITERIA AND EVALUATION OF PROPOSALS**

10.1 An initial examination will be made to establish the completeness of submitted proposals. The Council reserves the right not to evaluate any proposal submission which is incomplete. All proposals shall still be sent to the DFE.

10.2 The proposer's written response to any Supporting Information required by the Council will be taken into account in the evaluation of competing proposals.

10.3 Based on the information provided by proposers within the proposal documentation, each proposal will be evaluated based on the following selection criteria. Proposals are scored out of a 100.

10.4 The Council will take into account and evaluate proposer responses and presentations (if applicable) based upon quality.

### Selection Criteria

10.6 The Business Information section of this document is designed to assess proposers on the following grounds:

- Economic and financial standing
- Technical capacity and ability.

10.7 If the evaluators feel that a proposer is wholly incapable of meeting the requirements in regard to any section of the Business Information then the DfE will be informed of this as part of the Council's sharing of evaluations. Lincolnshire County Council reserve the right not to continue to evaluate any proposer from the process that they believe is not capable of meeting the requirements of the new school. The DfE will still be sent all proposals.

10.8 Proposers are advised that wherever reference is made to any external assessment body or external accreditation standard, such reference shall be deemed to include reference to any equivalent body or standard established in other member states of the European Union.

10.9 The scoring criteria and weightings and Evaluation Record Sheet are attached for your information at Appendix One and Appendix Two.

Quality – 100%

10.10 Proposers will be scored on their responses to the Proposer Business Information and Proposer Working Methods in Section 3 and Section 4 in relation to the requirements of the New School Requirements document. The weighting applied to each of the quality sub criteria is shown in the table below

<b>Element-</b>	<b>Weighting</b>
Quality:	100%:
Part B Professional Standing	Pass/Fail
Part B (II) Professional Standing	Pass/Fail
Part C Finance	Moderated and written evaluation to DFE
Part D Operating Performance	Moderated and written evaluation to DFE
Part E Safeguarding	Moderated and written evaluation to DFE
Part F Experience	Moderated and written evaluation to DFE
G1	15.00%
G2	15.00%
G3	7.50%
G4	7.50%
G5	7.50%
G6	7.50%
G7	7.50%
G8	7.50%
G9	7.50%
G10	7.50%



Interviews [If scored] Only if interviews are carried out will a weighting be applied. If the LA decide that an interview is not necessary then all other weightings will be increased accordingly (see Appendix 1)	10.00%
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10.11 The quality element of the proposal will be scored using the following scale of awarding marks between 0 and 5:

0	Completely unsatisfactory response – Nil response to question
1	Completely unsatisfactory response – Limited information or proposer would not have ability in delivering the required standard.
2	Unacceptable response – Proposer would only meet some of the requirements of the New School Requirement document some of the time.
3	Acceptable response – Proposer would be likely to meet basic standards but further work may be required to ensure standards are met consistently.
4	Good response – clearly indicating proposer has fully understood and can consistently apply and deliver all the requirements.
5	Excellent response – Comprehensive understanding of the requirements and demonstrates that they are likely to exceed the required standards.

10.12 Where presentations or interviews are requested these may be used to clarify and / or expand on proposers responses and no points are allocated. Instead, having scored the proposer on the basis of the written proposal received, the scores will be reviewed and revised if appropriate in the light of additional information and insights gained during those subsequent stages of evaluation.

10.13 Alternatively, presentations may form part of the evaluation criteria, which will be shown within the sub criteria weighting and will therefore be scored as part of the overall evaluation process.

10.14 The greatest overall mark will indicate the proposer that best meets the New School Requirements. A copy of the evaluation matrix can be found at Appendix One.

## **11 ACCEPTANCE OF PROPOSAL**

11.1 Any acceptance of a proposal will be made by the Secretary of State.

## **12 INFORMATION, COSTS AND EXPENSES**

12.1 The proposer is responsible for obtaining all information necessary for the preparation of its proposal and all costs expenses and liabilities incurred by the proposer in connection with the preparation and submission of the proposal will be borne by the proposer.

### **13 RESEARCH AND INVESTIGATION**

- 13.1 The proposer will be deemed for all purposes connected with the proposal to have carried out all researches, investigations and enquiries which can reasonably be carried out and to have satisfied itself as to the nature, extent, and character of the requirements of the Specification, the extent of the materials and equipment which may be required and any other matter which may affect its proposal.
- 13.2 The proposer shall have no claim whatsoever against the Council in respect of such matters and in particular (but without limitation) neither the Council shall make any payments to the proposer save as expressly provided for in the New School Requirements and (save to the extent set out in the New School Requirements) no compensation or remuneration shall otherwise be payable by any Council to the proposer in respect of the scope of the specification being different from that envisaged by the proposer or otherwise. Information given in respect of current requirements is given as a guide and the Council makes no warranty and accepts no liability as to the actual value or volume of requirements of the proposer.

### **14 CONFIDENTIALITY**

- 14.1 All documentation and information issued by the Council relating to the proposal shall be treated by the proposer as private and confidential for use only in connection with the proposal and shall not be disclosed in whole or in part to any third party without the prior written consent of the Council.

### **15 PROPOSER'S WARRANTIES**

- 15.1 In submitting a proposal the proposer warrants and represents that:
- (a) all information, representations and other matters of fact communicated (whether in writing or otherwise) to the Council by the proposer or its employees in connection with or arising out of the proposal are true, complete and accurate in all respects;
  - (b) it had made its own investigations and research, and has satisfied itself in respect of all matters relating to the proposal and the New School Requirements and that it has not submitted the proposal in reliance upon any information, representations or assumptions (whether made orally, in writing or otherwise) which may have been made by the Council;
  - (c) it has full power and authority to enter the proposal and will if requested produce evidence of such to the Council;
  - (d) it is of sound financial standing and the proposer and its partners, officers and employees are not aware of any circumstances (other than such circumstances as may be disclosed in the accounts or other financial statements of the proposer) which may adversely affect such financial standing in the future.

## SECTION 2 – NEW SCHOOL REQUIREMENTS

### Section 1 - Background, Context and Policies and Procedures

#### 1.1 Introduction and Context

##### Children and Young People's Plan

The Children and Young People's Plan sets the priorities for how we can contribute to make Lincolnshire a better place for Children and Young People.

Lincolnshire's Principles for Children and Young People are;

- Early Intervention & Prevention
- Safeguarding & Best Start in Life
- Aspiration & Wellbeing
- Learning & Achievement
- Best use of Resources

For further information about services for Children and Young People in Lincolnshire, including the full Children and Young Peoples Plan please see the [lincolnshirechildren.net website](http://lincolnshirechildren.net).

Please consult the Council [website](#) and the most recent Joint Strategic Needs Assessment (JSNA) and for local, up to date, demographic information.

Proposers are expected to have a good knowledge of Lincolnshire and its demographics.

#### 1.2 Legislation, Policies and Procedures

Lincolnshire County Council (LCC) is responsible for school place planning. Where a Local Authority (LA) identifies the need to establish a new school, the Education Act (2011) introduced a presumption that all new schools will be Academies/Free Schools. It also places the authority under a duty to seek proposals to establish an Academy/Free School and to specify a date by which proposals must be submitted. As this new school will be an Academy or Free School, the successful sponsor will need to enter into a revenue funding agreement with the Secretary of State for Education.

It is important to note that whilst the LA may choose to state a preference in respect of which application it would wish to see implemented, it is the Secretary of State for Education who will make the final decision and select the successful sponsor.

The Proposer needs to comply with all relevant legislation relating to the development of a new school.

This includes, but is not exhaustive to

- The Children Act 2004
- Health and Safety at Work Legislation
- Data Protection
- Police and Justice Act 2006
- Education and Inspection Act 2006
- Education Act 2011

Proposers are to have sufficient written policies, procedures and codes of practice in place to ensure that instruction and guidance for the operator's staff are available in relation to the functions and activities described in the specification.

The policies, procedures and codes of practice must be accessible at all times by staff and must be readily available to relevant stakeholders.

Policies and procedures and codes of practice should include:

- Equalities standards
- Recruitment and selection policy
- Staff induction, appraisal and staff training and development
- A code of conduct for staff
- A robust code of practice concerning staff rota systems including cover for foreseen and unforeseen staff absence
- Contingency and business continuity arrangements
- Risk assessment and management
- Complaints by users and by staff
- Safeguarding Children/Child Protection
- Protecting Vulnerable Adults

- Whistle blowing
- Confidentiality and Data Protection
- Health and Safety
- Anti-bullying
- Grievance

### **1.3 Safeguarding**

The Council has multi-agency policy and procedures to protect children and vulnerable adults from abuse. These policies and procedures should be followed by the Proposer. The Proposer shall prepare its own internal guidelines to protect children from abuse that are consistent with the multi-agency policy and procedures.

The Proposer shall make the necessary arrangements to ensure compliance with Section 11 of the Children Act 2004 and the duty to safeguard and promote the welfare of children in delivery of all aspects of the service. Proposers must demonstrate compliance via a self-assessment process. The Council currently recommend the Lincolnshire Local Safeguarding Children's Board (LSCB) Toolkit or the [Safe Network](#) self-assessment toolkit. Compliance must be demonstrated on an annual basis.

### **1.4 Equalities and Diversity**

The general population of Lincolnshire is diverse in terms of faith, ethnicity, disability, culture, language, gender and sexuality. Proposers are expected to develop a diverse workforce and promote sensitive and appropriate service delivery. The Proposers will be expected to demonstrate a commitment to ensuring that their services meet the diverse needs of their target client group.

## Section 2 – Service Summary

### 2.1. Service Overview

The school is proposed to serve Elsea Park, a long term development of more than 1600 homes in Bourne that is approximately halfway complete after ten years of development.

Building started on the Elsea Park Development in late 2001 with planning approved for 1600+ dwellings. The work is expected to take at least another 14 years to complete, depending on market conditions, and there are not expected to be new housing allocations for Bourne prior to 2026 above the 1650 with existing outline consent as at March 2011 for the whole town, including Elsea Park.

In 2001, under Section 106 (S.106) of the Town and Country Planning Act 1990, LA officers negotiated a site and funding for a primary school to be provided by the developer to the relevant specification at the time their development started. This specification has now been superseded several times and legal advice to LCC says it cannot accept direct provision by the developer due to EU Procurement rules on public works. Therefore the proposal is that the developer provides the site and a capital contribution and LCC procures the school. This requires the developer and LCC to agree details and then formally vary the existing S.106 agreement by way of an application to South Kesteven District Council as the Local Planning Authority.

The additional primary school is intended to serve the growing community of Elsea Park. The new school will not replace any existing schools and has been delayed in coming forward due to the slowdown in the housing market and a previous dip in numbers across Bourne and the potential harm it could have had on existing schools by creating an oversupply.

It is envisaged that this additional primary school provision would open in stages to match the rate of development and pupil growth in Bourne. Projections are based on the calculation of approximately 20 primary age children per 100 houses. There are expected to be 320 primary pupils residing on site at Elsea Park eventually but many have been able to gain a place at existing schools so initially only 210 places are proposed, with the scope for expansion if required in the future.

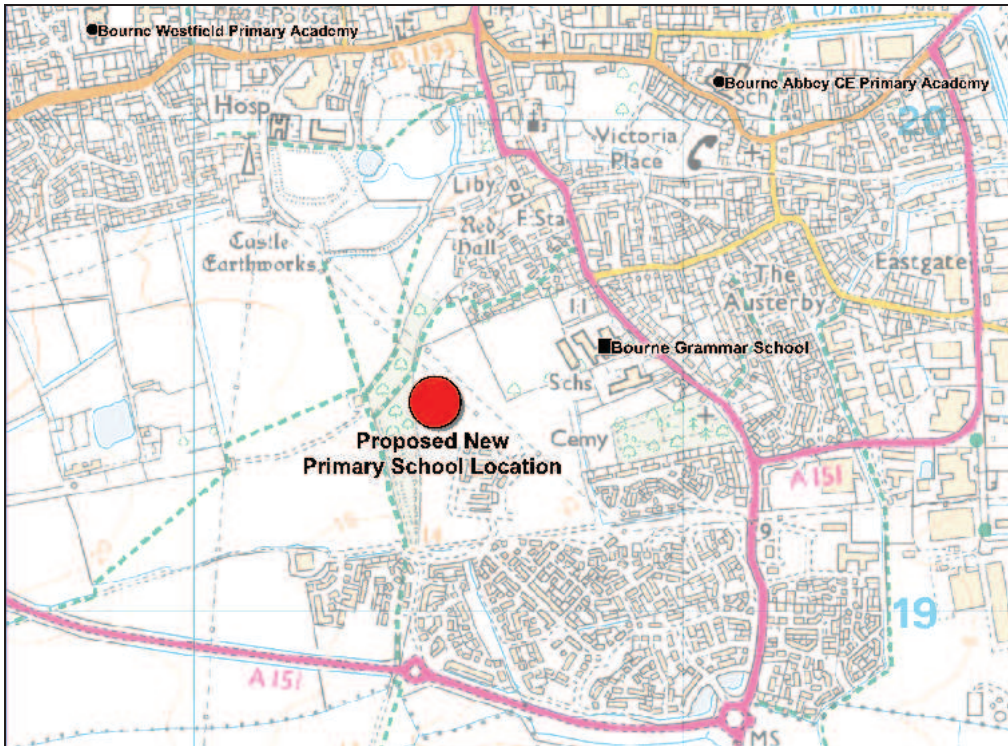
The provision of childcare will not form part of the prerequisites for proposers for the school, however new school operators will be asked to provide evidence in their submissions of commitment towards the provision of Early Years provision on the school site.

## Section 3 – Services to be Provided

### 3.1. Service Deliverables

#### Location of the Site

The detailed location and boundaries are subject to final agreement with the developer but are shown approximately on the original S.106. The total area is approximately 1.8ha on a single site. The proposed location of the site is shown on the map below. It is expected legal matters will be concluded in Autumn 2012 and the site is not expected to move from this location.



#### Accessibility of the Site

The new school will operate on a single site accessed from a service road.

The site will be easily accessible by all and the building project will, as a minimum, address relevant building regulations in order to meet the needs of pupils, visitors and staff.

#### Transport

No specific transport arrangements are deemed necessary given the close proximity of the site to children's homes.

The LA will actively support the new school in encouraging safe travel to school including walking and cycling.

### **Tenure**

The Tenure will depend on the outcome of the selection process and status of the school but LCC will hold the freehold interest of the site designated for the new school and a lease will be created by way of an Academy Transfer based on the 125 year DfE model, as appropriate. The timing of the grant of any such interests will be directly dependant on transfer of ownership to the County Council under the Deed of Undertaking and any legal restrictions.

### **3.2. Timescales**

It is proposed that the school should open from 1 September 2014 at the start of the autumn term, as this is generally the best opening time for a new school and fits with the LCC admissions process.

### **3.3. User Information**

It is proposed to be a 1FE (210 place) age 4-11 mainstream primary academy/free school for boys and girls.

It is proposed that the new school will have a phased opening to provide 30 Reception places from September 2014 as follows:

- 30 places from 1 September 2014 (Reception)
- 60 places by 1 September 2015 (Reception and Year 1)
- 90 places by 1 September 2016 (Reception to Year 2)
- 120 places by 1 September 2017 (Reception to Year 3)
- 150 places by 1 September 2018 (Reception to Year 4)
- 180 places by 1 September 2019 (Reception to Year 5)
- 210 places by 1 September 2020 (Reception to Year 6)

Potential operators will be expected to demonstrate how they will manage this phased opening as part of their proposal.

### **3.4. Extended Services**

The LA expects the new school operator to collaborate and engage with other providers and local partners to develop extended services which meet the needs of local children, young people and families in a co-ordinated, holistic way and which can be accessed through all the partners in the locality

These services may include: access to high quality childcare, out of hours learning activities, parenting support and community access to appropriate facilities which may include sports and arts facilities, adult learning and ICT provision.

Potential new school operators will be asked to provide evidence in their submissions of their commitment towards the provision on the school site.



### **3.5. Financial Information**

The capital costs of building the school will be met by the S.106 agreement and LA Basic Need funding. The management of the capital build project will be handled by the LA. The S.106 agreement also provides the land on which the school is to be built.

### **3.6. Submission of Proposals**

All proposals should be addressed to Lincolnshire County Council and submitted electronically to [provisionplanning@lincolnshire.gov.uk](mailto:provisionplanning@lincolnshire.gov.uk) by the deadline stated below using the application form provided.

### **3.7. Next Steps**

The LA must receive proposals by 16 November 2012 as an electronic copy of all documentation.

Proposals for the new school will be judged against their ability to meet the following criteria as set out in the application form provided (which must be used to submit all applications):

1. Vision and educational experience (weighted by 2)
2. Capacity and capability (weighted by 2)
3. Supporting partnership working in Lincolnshire to achieve the objectives of the Children and Young People's Plan
4. Qualities and ideas that will impact on standards and school improvement
5. Diversity, parental choice and community engagement
6. What will differentiate your proposal from those of other proposers?
7. Admissions arrangements
8. Staffing the Academy/Free School and recruiting the governing body
9. Championing the needs of vulnerable children
10. Managing the opening of the new Academy/Free School

The LA will evaluate all applications received and may interview proposers if required. All applications received will be submitted to the DfE (Secretary of State for Education) along with details of the assessment carried out. The LA may choose to recommend a provider based on the overall assessment. The assessment process will be carried out by the LA before applications are submitted to the DfE. It is hoped the decision will be available from the DfE within 8 weeks of submission.

### **3.8. Explanatory Notes**

Commencement of school term dates to be determined, in consultation with the provider, with the aim that it will be accordance with the annual consultation of term dates. The start of Term 1 usually falls within the first week of September.

The school will be built in one phase to provide up to 30 Reception places in 2014 and up to 210 places by 2020. The school could have variable numbers in each year, which would affect class organisation and may require mixed age classes.

The published admission number (PAN) is the total capacity of the school divided by the number of year groups to be accommodated. The proposed PAN for this school is 30.

## SECTION 3 – PROPOSER RESPONSES: BUSINESS INFORMATION

*Note – You may adjust the size of the following text boxes to suit your response.*

Proposers are required to respond to the questions below. You may expand the sections provided or provide your responses on clearly cross referenced sheets. Please make sure that where you chose to cross reference, the responses are all submitted in a single word file so that they may be printed of together.

PART A – Company Details		
A1	Company Name:	
A2	Company Address and Post Code:	
A3	Registered address and Post Code if different from the above:	
A4	Company Registration number (if this applies):	
A5	Charities or other Registration number (if this applies). Please specify registering body:	
A6	Date of Registration: (if this applies)	
A7	Please state the nature of your organisation, e.g. public limited company, partnership, sole trader, etc:	
A8	Are you a small, medium or micro business?	Small / Medium / Micro
A9	Are you acting as the lead organisation for a consortium?	Yes/No
A10	If members of your consortium are likely to deliver a significant (over 50%) proportion of the requirement, give their company name(s) and address(es). Please provide this information in a separate annexe	
A11	If the Company is a member of a group of companies, give the name and address of the ultimate holding Company	
A12	Contact name for enquiries about this ITT:	
A13	Job Title:	
A14	Telephone number:	
A15	Fax number:	
A16	E-mail address:	
A17	Website address (if any):	

<b>PART B – Professional Standing – Mandatory Pass</b>		
B1	Has your organisation or any of its directors or any other person who has powers of representation, decision or control of the organisation been convicted of any of the following offences: <b>NOTE: Responses to these questions will be assessed as PASS / FAIL. Only those applications achieving a PASS will be put forward for further evaluation.</b>	
B1.1	Conspiracy	Yes / No
B1.2	Corruption	Yes / No
B1.3	Bribery	Yes / No
B1.4	Fraud	
	(i) The offence of cheating the Revenue	Yes / No
	(ii) The offence of conspiracy to defraud	Yes / No
	(iii) Fraud or theft	Yes / No
	(iv) Fraudulent trading	Yes / No
	(v) Defrauding HM Revenue & Customs	Yes / No
	(vi) An offence in connection with taxation in the European community	Yes / No
	(vii) Destroying defacing or concealing of documents or procuring the extension of a valuable security	Yes / No
	(viii) Money laundering	Yes / No
	(ix) Any other offence	Yes / No

<b>PART B (II) – Professional Standing – Discretionary Pass *(see note below)</b>		
B(II)1	Do any of the following apply to your organisation, or to (any of) the director(s) / partners / proprietor(s)? <b>NOTE: Responses to these questions will be assessed as PASS / FAIL. Only those applications achieving a PASS will be put forward for further evaluation.</b>	
B(II)1.1	Bankruptcy, insolvency, compulsory winding up, receivership, composition with creditors, or subject to relevant proceedings	Yes / No
B(II)1.2	A conviction (or convictions) for a criminal offence related to business or professional conduct	Yes / No
B(II)1.3	Legal or administrative finding of a commission of an act of grave misconduct in the course of business	Yes / No
B(II)1.4	Failure to fulfil obligations related to payment of social security contributions	Yes / No
B(II)1.5	Failure to fulfil obligations related to the payment of taxes	Yes / No
B(II)1.6	Failure to provide information required or providing inaccurate / misleading information when participating in a procurement exercise	Yes / No
B(II)1.7	Failure to obtain and maintain relevant licences or membership of an appropriate trading or professional organisation where required by law	Yes / No
B(II)1.8	Has personal or financial connection with an elected member or senior officer of the authority	Yes / No

B(II)1.9	If the answer to any of these is “Yes” please give brief details below, including what has been done to put things right.

\* Where a ‘Yes’ response has been given to any question, information given in B(II)1.9 should clearly indicate the problem has been resolved and that steps have been taken to prevent its recurrence or that propriety can be maintained.

**Financial Information**

This section asks for some financial facts about your organisation (and the ultimate holding company if there is one). We will use this information to assess the financial position and stability of your organisation. **We do not require you to submit copies of accounts at this stage.** Where you are a new organisation and unable to supply certain information, please indicate ‘not able to supply’ against relevant responses.

**Please note that a credit rating score will be obtained as part of the evaluation.**

<b>PART C – Financial Information</b>		
C1	Are you registered for VAT? If so, please provide Registration number:	
C2	What are your current liabilities (including bank overdraft)? (If you are a consortium please state aggregated value)	£
C3	What is the value of your current assets? (If you are a consortium please state aggregated value)	£
C4	What is the value of your Stock / Inventory? (If you are a consortium please state aggregated value)	£..... for year ended --/--/----
C5	What is the value of your current Interest / Finance Charges? (If you are a consortium please state aggregated value)	£
C6	What was your Operating Profit in the last two financial years? (If you are a consortium please state aggregated value)	£..... for year ended --/--/----      £..... for year ended --/--/----
C7	What was your turnover in each of the last two financial years? (If you are a consortium please state aggregated value)	£..... for year ended --/--/--      £..... for year ended --/--/----
C8	What is the value of your current Reserves? (If you are a consortium please state aggregated value)	£
C9	What is the value of your available cash / credit? (If you are a consortium please state aggregated value)	£
C10	Please indicate if you are able to provide any of the following should they be required	
	<i>A copy of your audited accounts for the most recent two years (if this applies)</i>	Yes / No
	<i>A statement of your turnover, profit &amp; loss account and cash flow for the most recent year of trading</i>	Yes / No

	<i>A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position</i>	Yes / No
	<i>Interim accounts showing your current financial position</i>	Yes / No
	<i>Alternative means of demonstrating financial status if trading for less than a year</i>	Yes / No
	If no please state the reason why not in no more than 100 words	
C11	If requested, would you be able to provide a banker's reference?	Yes / No
C12	Are your accounts externally audited?	Yes / No
	If "No" please state the reason why <b>in no more than 100 words</b> .	
C13	Has your organisation met the terms of its banking facilities and loan agreements (if any) during the past year?	Yes / No
	If "No" what were the reasons, and what has been done to put things right <b>in no more than 150 words</b> ?	
C14	Has your organisation met all its obligations to pay its creditors and staff during the past year?	Yes / No
	If "No" please explain why not <b>in no more than 100 words</b> :	

**NB** In accordance with the Companies Act 2006, small companies are exempt from providing audited accounts. To qualify as small, a company must meet **two** of the following criteria:

- The turnover in a financial year is not more than £5.6 million
- The balance sheet total for that year is not more than £2.8 million
- It has not more than 50 employees.
- If this is applicable, the applicant is required to provide accounting information comprising of a balance sheet and income statement in order to enable the Council to assess your firms financial viability. Please note that abbreviated accounts are not accessible

### **PART D – Operating Performance**

D1	In the last three years, have:	
	You or your Company been removed as an operator of a school?	Yes / No
	Any schools that you have operated gone into special measures?	Yes / No
	If "Yes" please explain <b>in no more than 150 words</b> why.	

### **PART E – Safeguarding**

E1	How does your organisation comply with the Protection of Vulnerable Adults and Section 11 of the Children Act 2004 for the Protection of Children? <b>Word limit 250 words</b>	

E2	Please provide a copy of your Safeguarding Children/Child Protection Policy and Vulnerable Adults Policy.  Please note this section does not have a word limit.	
E3	In the last three years, has any finding of unlawful acts been made against any individual employed within your organisation or working voluntarily for your organisation? If “Yes” please provide details below.	Yes / No
E4	In the last three years, has your organisation been the subject of formal investigation under the Criminal Justice and Court Services Act? If “Yes” please provide details below.	Yes / No

### PART F – Experience of the Company and References

F1	What are the main business activities of your organisation? (max 100 words)			
F2	Please provide brief details of your company’s previous experience in delivering the type of requirements under this proposal.			
F3	Please provide an overview of the range of services that the company supports that demonstrate your ability to deliver the New School Requirements.			
F4	Please detail your company and management structure.			
F5	How many staff does your organisation employ (including consortia members or sub-contractors where appropriate) in total and how many work in areas relevant to this proposal?			
F6	Please provide details of up to three contracts with either the public or private sector that your organisation has held in the last three years that are relevant to the Authority’s requirement. (The customer contact should be prepared to speak to the Council if we wish to contact them). <b>Please ensure the email address is provided, as references will be requested electronically</b>			
		Contract 1	Contract 2	Contract 3
	Customer Organisation (name): Website (if available)			
	Customer contact name, phone number and email			
	Date contract awarded:			

	Date contract completed:			
	Brief description of contract (max 100 words)			
	Value:			
If you cannot provide at least one reference, please briefly explain why (100 words max)				



## SECTION 4 – PROPOSER RESPONSES – WORKING METHODS

### PART G – Proposed Working Methods

Proposers are required to respond to the questions below. You may expand the areas provided or provide your responses on clearly cross referenced sheets. Please make sure that whatever option is chosen, the responses are all submitted in a single Word file so that they may be printed off altogether.

<b>G1</b>	<p><b>Vision and educational experience</b></p> <ul style="list-style-type: none"> <li>- Detail your education vision and ethos for the new Academy/Free School</li> <li>- Demonstrate how you will narrow the gap between vulnerable children and young people and their less vulnerable peers and enable as many children as possible to reach their full potential</li> <li>- Include your policy on inclusion and exclusion and detail your approach to behaviour management</li> <li>- Detail your approach to pupil well-being and attendance and how they link to your education vision</li> <li>- Demonstrate the quality of places offered</li> <li>- Detail the educational plan and proposed curriculum and explain how you will ensure it is broad and balanced</li> <li>- Your aspirations for the achievement of pupils and for the Academy/Free School as a whole</li> </ul>
<b>G2</b>	<p><b>Capacity and capability</b></p> <ul style="list-style-type: none"> <li>- Demonstrate your ability to successfully manage schools</li> <li>- Give details of your ability and experience of running an Academy/Free School</li> <li>- Give details of how you will ensure children and young people are safeguarded</li> <li>- Give reference to your leadership and management experience</li> <li>- Evidence your ability to financially manage Academies/Free Schools, including your financial expertise</li> </ul>
<b>G3</b>	<p><b>Supporting partnership working in Lincolnshire to achieve the objectives of the <a href="#">Children and Young People’s Plan</a></b></p> <ul style="list-style-type: none"> <li>- Fully explain how you will develop partnerships with the Council, other Schools and Academies and other relevant stakeholders</li> <li>- Explain how partnership working will help achieve the objectives of the Children and Young People’s Plan and in particular improve the educational experience to enable pupils to reach their full potential</li> <li>- How will partnership working help to ensure children and young people are safeguarded from harm?</li> </ul>
<b>G4</b>	<p><b>Qualities and ideas that will impact on standards and school improvement</b></p> <ul style="list-style-type: none"> <li>- Detail specific qualities and ideas regarding how the approach of the Academy/Free School will help to raise the standard of education in the area</li> <li>- How will this contribute to school improvement?</li> <li>- Set out details of the experience that pupils will have at the new school, including how you will evaluate the achievement and performance of pupils and the Academy/Free School</li> <li>- How will the Academy/Free School support the transition to secondary</li> </ul>

	<p>education (where applicable)?</p> <ul style="list-style-type: none"> <li>- How will the Academy/Free School support pupils into further education, employment or training (where applicable)?</li> </ul>
<b>G5</b>	<p><b>Diversity, parental choice and community engagement</b></p> <ul style="list-style-type: none"> <li>- How will your submission enhance diversity and promote parental choice in the area?</li> <li>- Outline your understanding of the local community</li> <li>- Describe your plans for community engagement, including how sports provision will be maintained and enhanced</li> <li>- How will you promote good community relations?</li> </ul>
<b>G6</b>	<p><b>What will differentiate your proposal from those of other proposers?</b></p> <ul style="list-style-type: none"> <li>- Explain how the Academy/Free School will be distinctive in its vision and ethos</li> </ul>
<b>G7</b>	<p><b>Admissions arrangements</b></p> <ul style="list-style-type: none"> <li>- Describe the proposed admission arrangements, including over-subscriptions criteria for the Academy/Free School</li> <li>- If the Academy/Free School is proposed to have a religious character, show the extent to which priority places is proposed to be given to children of the Academy's/Free School's religion or religious denomination</li> <li>- How will children of other religious or non-religious denominations be considered?</li> </ul>
<b>G8</b>	<p><b>Staffing the Academy/Free School and recruiting the governing body</b></p> <ul style="list-style-type: none"> <li>- Provide an indicative staffing structure</li> <li>- How will staff be recruited to the Academy/Free School as the number of children at the school builds?</li> <li>- How will the recruitment of governors to the school be managed?</li> </ul>
<b>G9</b>	<p><b>Championing the needs of vulnerable children</b></p> <ul style="list-style-type: none"> <li>- What additional services will be provided to parents, pupils and the local community, particularly for vulnerable children and their families?</li> <li>- How do you propose to make the Academy/Free School attractive to pupils of different backgrounds and abilities, including pupils from deprived or disadvantaged families?</li> </ul>
<b>G10</b>	<p><b>Managing the opening of the new Academy/Free School</b></p> <ul style="list-style-type: none"> <li>- Provide details of how you will work with other agencies to ensure that the necessary infrastructure and systems are in place for the opening of the new Academy/Free School</li> <li>- Give details of your experience of managing the opening and early operation of a new Academy/Free School</li> </ul>

**SECTION 5 – FORM OF PROPOSAL**

**Note: Refusal to give this declaration and undertaking means that your proposal will not be evaluated. All proposals will be sent to the DfE.**

To Lincolnshire County Council

Having examined carefully and understood the New School Requirement and all other documentation issued by the Council in connection with the proposal for the Bourne Elsea Park Primary Academy

We: .....

Of: .....

hereby offer to operate the new school as set out in New School Requirement and other documents (if any).

I/We understand you will not pay any expenses incurred by us in connection with the preparation and submission of this proposal.

I/We declare that to the best of my/our knowledge the responses submitted in this proposal are correct and a true representation. I/We understand that the information will be used in the process to assess my/our organisation’s ability to deliver the requirement. I/We understand that the Authority may not evaluate this proposal if there is a failure to answer all relevant questions fully or if I provide false/misleading information. All proposals will be sent to the DfE.

Signature .....

Position held .....

Name and Address of Proposer .....

.....

.....

Dated .....

*Note – Electronic signatures or typed names are acceptable. In the event that your organisation is chosen by the DfE you may be required to resign this form with an original signature.*

## SECTION 6 – FREEDOM OF INFORMATION DISCLOSURE FORM

### Lincolnshire County Council

#### Freedom of Information Act 2000: Information Disclosure Form

The Council is committed to the principle of open government and may disclose, upon request, information that it considers to be in the public interest to disclose.

Please state below any information that you specifically do not wish the Council to disclose together with any timescale relating to this non-disclosure e.g. for first 6 months, lifetime of the contract etc.

Please note that the council may still need to disclose such information if necessary to comply with its obligations under the Act.

I agree that information relating to this proposal may be disclosed, save for the information specified below which we consider to be commercially confidential:

Signature .....

Position held .....

Name and Address of Proposer .....  
 .....  
 .....

Dated .....

*Note – You may adjust the size of the text boxes to suit your response.*

Signature	
Name	
Organisation	
Date	

Information not for Disclosure	Reason for Non-Disclosure	Timescale

*Note – Electronic signatures or typed names are acceptable. In the event that your organisation is selected by the DfE you may be required to resign this form with an original signature.*

## SECTION 7 – PROPOSER CHECKLIST

Proposers should ensure that they have completed the following sections before returning their responses:

SECTION HEADING	COMPLETED?
<b>Section 3 – Proposer Responses - Business Information</b> <b>(please include a copy of your Safeguarding Children/Child Protection Policy and Vulnerable Adults Policy)</b>	<input type="checkbox"/>
<b>Section 4 – Proposer Responses – Working Methods</b> <b>(please include a copy of your Inclusion/Exclusion Policy)</b>	<input type="checkbox"/>
<b>Section 5 – Form of Proposal</b>	<input type="checkbox"/>
<b>Section 6 – Freedom of Information Disclosure Form</b>	<input type="checkbox"/>

It is important that all sections are completed as failure to do so may result in your proposals not being evaluated.

**Proposers who do not wish to offer the requirement following submission of a proposal are requested to advise the Council's named contact as soon as possible.**

## SECTION 8 – APPENDIX ONE – EVALUATION MATRIX

### Establishment of New Schools

Topic	Question	Percentage of Total Score (no interview)	Percentage of Total Score (with interview)
Topic 1			
	1	16.67	15.00
	2	16.67	15.00
	3	8.33	7.50
	4	8.33	7.50
	5	8.33	7.50
	6	8.33	7.50
	7	8.33	7.50
	8	8.33	7.50
	9	8.33	7.50
	10	8.33	7.50
	<b>Interview (if required)</b>	-	10.00
<b>Overall Percentage Achieved</b>		<b>100</b>	<b>100</b>

**SECTION 9 – APPENDIX TWO– EVALUATION RECORD SHEET**

**Establishing a New Academy/Free School**

**EVALUATION RECORD SHEET**

Name of Proposer: .....

Name of Evaluator: .....

Signature: .....

Date: .....

- A panel of officers will be evaluating how well the proposer has answered the questions in their submission
- Section B – is a pass/fail criteria
- Sections C, D, E and F – The information will be used to moderate the method statements
- Section G, Method Statements - Each officer will score each question on the basis of the response given, and will score on a scale of 0-5 (*0 being not answered, 1 being poor and 5 being excellent*).

**BUSINESS INFORMATION**

<b>B</b>	<b>Professional Standing</b>
<p><b>Evaluator Comments (if any)</b></p> <p>.....</p> <p>.....</p> <p>.....</p>	

<b>C</b>	<b>Financial Information</b>
<p><b>Evaluator Comments (if any), please attach the credit rating report from Finance and ensure they comment on whether the proposer is assessed as financially viable, not financially viable or if the information provided has meant financial viability is unable to be determined</b></p> <p>.....</p> <p>.....</p> <p>.....</p>	

<b>D</b>	<b>Operating Performance</b>
<p><b>Evaluator Comments (if any)</b></p> <p>.....</p> <p>.....</p> <p>.....</p>	

<b>E</b>	<b>Safeguarding</b>
<p><b>Evaluator Comments (if any)</b></p> <p>.....</p> <p>.....</p> <p>.....</p>	



<b>F</b>	<b>Experience of the Company and References</b>
<b>Evaluator Comments (if any)</b>  ..... ..... .....	

**METHOD STATEMENTS**

**HOW WELL HAS THE SUPPLIER RESPONDED TO THE FOLLOWING QUESTIONS (0-5)?**

<b>G1</b>	<b>Vision and educational experience</b>
<b>Evaluator Comments (if any)</b>  ..... ..... .....	
<b>SCORE:</b>	

<b>G2</b>	<b>Capacity and Capability</b>
<b>Evaluator Comments (if any)</b>  ..... ..... .....	
<b>SCORE:</b>	

<b>G3</b>	<b>Supporting partnership working in Lincolnshire to achieve the objectives of the Children and Young People's Plan</b>
<b>Evaluator Comments (if any)</b> ..... ..... .....	
<b>SCORE:</b>	

<b>Q4</b>	<b>Qualities and ideas that will impact on standards and school improvement</b>
<b>Evaluator Comments (if any)</b> ..... ..... .....	
<b>SCORE:</b>	

<b>G5</b>	<b>Diversity, Parental Choice and community engagement</b>
<b>Evaluator Comments (if any)</b> ..... ..... .....	
<b>SCORE:</b>	

<b>G6</b>	<b>What will differentiate your proposal from those of other proposers?</b>
<p><b>Evaluator Comments (if any)</b></p> <p>.....</p> <p>.....</p> <p>.....</p>	
<b>SCORE:</b>	

<b>G7</b>	<b>Admissions arrangements</b>
<p><b>Evaluator Comments (if any)</b></p> <p>.....</p> <p>.....</p> <p>.....</p>	
<b>SCORE:</b>	

<b>G8</b>	<b>Staffing the Academy/Free School and recruiting the governing body</b>
<p><b>Evaluator Comments (if any)</b></p> <p>.....</p> <p>.....</p> <p>.....</p>	
<b>SCORE:</b>	

<b>G9</b>	<b>Championing the needs of vulnerable children</b>
<b>Evaluator Comments (if any)</b>  ..... ..... .....	
<b>SCORE:</b>	

<b>G10</b>	<b>Managing the opening of the new Academy/Free School</b>
<b>Evaluator Comments (if any)</b>  ..... ..... .....	
<b>SCORE:</b>	

## APPENDIX F

## SCORING MECHANISM

Each criterion G1 to G10 must be scored from 0 to 5 using the scale in the table below with G1 and G2 then being weighted x 2 as being the most important of the criteria :-

0	Completely unsatisfactory response – Nil response to question
1	Completely unsatisfactory response – Limited information or proposer would not have ability in delivering the required standard
2	Unacceptable response – Proposer would only meet some of the requirements of the New School Requirement document some of the time.
3	Acceptable response – Proposer would be likely to meet basic standards but further work may be required to ensure standards are met consistently
4	Good response – clearly indicating proposer has fully understood and can consistently apply and deliver all the requirements
5	Excellent response – Comprehensive understanding of the requirements and demonstrates that they are likely to exceed the required standards.

1. Vision and educational experience (weighted by 2)
2. Capacity and capability (weighted by 2)
3. Supporting partnership working in Lincolnshire to achieve the objectives of the Children and Young People's Plan
4. Qualities and ideas that will impact on standards and school improvement
5. Diversity, parental choice and community engagement
6. What will differentiate your proposal from those of other proposers?
7. Admissions arrangements
8. Staffing the Academy/Free School and recruiting the governing body
9. Championing the needs of vulnerable children
10. Managing the opening of the new Academy/Free School

APPENDIX H

Topic	Questions	Percentage of Total Score	Applicant A	Bourne Abbey
<b>Method Statements</b>				
	1	15	9.6	10.5
	2	15	7.2	9.9
	3	7.5	3.2	3.5
	4	7.5	2.7	5.1
	5	7.5	4.4	6.3
	6	7.5	4.5	5.1
	7	7.5	4.5	4.5
	8	7.5	3.2	5.3
	9	7.5	4.5	5.3
	10	7.5	4.7	4.7
		<b>Sub-Total</b>	<b>48.5</b>	<b>60.2</b>
	11	3.333333333	3.0	3.1
	12	1.333333333	1.0	0.9
	13	1.333333333	0.8	1.0
	14	1.333333333	0.9	1.1
	15	1.333333333	1.1	0.7
	16	1.333333333	1.1	1.0
		<b>Sub-Total</b>	<b>7.9</b>	<b>7.8</b>
<b>Overall Percentage Achieved (not including price)</b>			<b>56.4</b>	<b>68.0</b>

## APPENDIX I

### Process to select an operator for a new Primary Academy in Bourne - Presentations and Questions on January 9<sup>th</sup>

#### Title of presentation

"If we visited the Academy in five years time please explain to us what would make the Academy special and stand out from other schools/Academies?"

#### Questions to ask applicants

QUESTIONS 1 - 5
1. What evidence do you have to demonstrate that children will achieve their maximum potential in terms of attainment?
2. Please detail your understanding of 'vulnerable children' and how you will support them?
3. Please can you provide evidence of partnership and community working and expand on how you would operate in Bourne and engage with the local community?
4. What would you consider to be the weakest element of your application and how would you like to improve in that area?
5. What evidence can you give to assure the panel that you will be able to manage and open the school to admit pupils in September 2014?



Impact Analysis to Enable Informed Decisions						
Background Information						
Directorate	Assistant Director area	Service area	Lead officer	Person / people completing analysis	Date of workshop / meeting	Version
Please select	Children's Services	Property and Technology Management	Michelle Andrews	Linda Duffield	n/a	1
<p><b>Title of the policy / project / service being considered</b></p> <p>Proposal for a new primary academy (4-11) in Bourne</p>						
<p><b>General overview and description of the Proposal for a new primary academy (4-11) in Bourne</b></p> <p>The decision being considered is regarding the selection of the preferred operator for the new Academy</p>						
<p><b>The status of Proposal for a new primary academy (4-11) in Bourne</b></p> <p>New</p>						
<p><b>Timescales for implementation</b></p> <p>Consultation on the proposal for a new Academy commenced in October 2012 when a letter was sent to a wide range of potential interested parties including all mainstream operators of education in Lincolnshire. The deadline for applications was 16 November 2012 and a panel has subsequently evaluated and scored the applications to identify a suitable operator. Once the Executive Councillor has taken the decision regarding the assessment of the applications the final decision will be referred to the Secretary of State. The confirmed decision is anticipated in June 2013 to enable the opening of the Academy in September 2014.</p>						
Analysis						
<p><b>1. What is the current situation?</b></p> <p>The LA has a statutory duty to provide sufficient school places for all Lincolnshire children. Due to increased birth rate and new housing developments placing increased pressure on school capacity there is a need for a new primary school to meet demand. The LA has secured an appropriate site in Bourne and allocated capital funding so that the next step is to identify a suitable operator</p>						

<p><b>2. What are the drivers for change?</b></p>	<p>Political, social and economic - to ensure a suitable operator is identified in order to offer the highest quality of educational provision at the new academy, ensure as many children as possible achieve their full potential and enhance sustainability of provision within the local area.</p>
<p><b>3. What difference will we make?</b></p>	<p>To provide the highest quality of educational provision at the new academy and ensure as many children as possible achieve their full potential and enhance sustainability of provision for the local community in response to demographic pressures.</p>
<p><b>4. What are the assumptions about the benefits?</b></p>	<p>That a suitable operator for the new Academy will give the best opportunity to enhance the quality of provision at the new academy</p>
<p><b>5. How are you testing your assumptions about the benefits?</b></p>	<p>The selection of an operator for a new Primary Academy in Lincolnshire was first undertaken last year. Following this, a "lessons learned" process together with input from scrutiny and guidance published by the Department for Education enabled the process to be reviewed and revised. We believe that a robust and rigorous assessment process has been employed to enable optimum selection for the selection process in Bourne. The years that follow the opening of a new school will allow standards to be monitored and reviewed to ensure the expected quality of provision is in place.</p>
<p><b>6. What are the assumptions about any adverse impacts?</b> Could it have a negative effect on anyone?</p>	<p>No A thorough and robust process has been followed to select an operator. The Bourne Abbey Church of England Academy application met all of the appropriate criteria and it was unanimously agreed by all panel members to recommend Bourne Abbey Church of England Primary Academy as the preferred operator. The final selection by the Secretary of State will be one from a suitable organisation with proven background in educational provision to the highest standard and also having sound financial backing with well resourced and experienced support teams.</p>
<p><b>6.1 Which groups/individuals could it have a negative impact on?</b></p>	

APPENDIX J

<p>6.2 How could it have a negative impact on these groups/individuals? Please refer to the list of protected characteristics to assist your answer</p>	
<p>7. How are you testing your assumptions about adverse impacts?</p>	<p>Not applicable</p>
<p>7.1 What further evidence do you need to gather?</p>	<p>Not applicable</p>
<p>8. Who are the stakeholders and how will they be affected?</p>	<p><b>Primary</b> (those directly affected, either positively or negatively by the organisation's actions)</p> <p>Parents/carers and their children - see points 2 and 3 above in this Analysis section. Staff and Governors at the new Academy will also benefit from the support, knowledge, experience and expertise of the chosen operator</p> <p><b>Secondary</b> (intermediaries, people or organisations who are indirectly affected by the organisation's actions)</p> <p>Local community - the selection of the best operator will also help to maximise the positive impact on the community.</p>
<p>9. How are you assessing the risks and minimising adverse impacts?</p>	<p>Not applicable</p>
<p>10. What changes will the Council need to make as a result of introducing the policy / project / service etc?</p>	<p>There will be no changes to any LCC policy or procedures.</p>

<p><b>11. How will you undertake evaluation once the changes have been implemented?</b></p>	<p>Not applicable</p>		
<p><b>Further Details</b></p>			
<p><b>Are you handling personal data?</b></p>	<p>No</p>	<p>If yes, please give details</p>	
<p><b>How was this analysis undertaken? Facilitated workshop? Who attended?</b></p>	<p>An evaluation panel was set up which comprised the Assistant Director for Children's Services, a Lincolnshire County Councillor, a representative from the Children and Young People Scrutiny Committee, and 2 Headteachers from LA maintained Lincolnshire Primary schools. The panel was also supported by an independent advisor from Children's Commissioning and LA officers from Children's Services. Applications were scored by the panel at an assessment day in December 2012 and then further scored in January 2013 following the use of presentations and questions. The scores from this 2 stage process were then compiled to produce an overall score.</p>		
<p><b>Are you confident that everyone who should have been involved in producing this version of the Impact Analysis has been?</b></p>	<p>Yes</p>	<p>If No, who needs to be involved?</p>	
<p><b>If this is new, or requires a decision by Councillors to revise, has this impact analysis been included with the committee report?</b></p>	<p>Yes</p>	<p>If No, why?</p>	
<p><b>Actions required</b> Including any actions that have been identified in this analysis for monitoring in the service area workplan?</p>	<p>No</p>	<p><b>Action</b> Not applicable</p>	<p><b>Lead Officer</b> Not applicable</p> <p><b>Timescale</b> Not applicable</p>
<p><b>Signed off by</b></p>	<p>Michelle Andrews</p>		<p><b>Date</b> 17-Apr-13</p>

**Open Report on behalf of Stuart Carlton, Assistant Director of Children's Services**

Report to:	<b>Children &amp; Young People Scrutiny Committee</b>
Date:	<b>14 June 2013</b>
Subject:	<b>Performance - Quarter 4 2012/13</b>

**Summary:**

This report is to provide the Children and Young People Scrutiny Committee with a summary of Quarter 4 2012/13 performance for Children and Young People. The accompanying appendices to this report provide key performance information for Quarter 4 2012/13 that is relevant to the work of the Children and Young People Scrutiny Committee.

**Actions Required:**

The Committee is invited to consider and comment on the performance information contained in the appendices to this report.

## 1. Background

### **Council Business Plan and Council Priority Activity Performance**

Appendix A highlights performance relevant to this committee against the following:

- Council Business Plan Performance Indicators: There are eight indicators in the Council Business Plan that are within the remit of this scrutiny committee. Appendix A contains any of these that are worse than target (red) or better than target (green).
- Council Priority Activities: Corporate Management Board have identified a number of Council Priority Activities, these are the key projects and programmes that will deliver the most significant changes and new commitments as detailed in the 2012-2015 Council Business Plan and Organisational Strategy, as well as the Executive Director's objectives. There are currently 32 priority projects and programmes, four of which are in the remit of this scrutiny committee.
- Council Priority Activities Exception Highlight Reports: Where a Council Priority Activity is reporting significant issues (red) a project highlight report has been included to provide further information.

## **Performance Indicators**

Appendix B is the summary report of the performance indicators relating to Children's Services. On presentation of the summary report there will be an opportunity to ask questions.

As requested a full and detailed report has been provided (Appendix C) which covers all indicators used by Children's Services. This is also available for questions.

## **Customer Satisfaction**

Appendix D is a breakdown of customer satisfaction information and sets out the complaints and compliments received in Quarter 4 relating to Children's Services.

## **2. Conclusion**

This report summarises the Quarter 4 performance for Children and Young People, which is broken down by each of the Assistant Directors, and the Children and Young People Scrutiny Committee are asked to raise any questions on the content of the report.

## **3. Consultation**

### **a) Policy Proofing Actions Required**

N/A

## **4. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Council Priority Activities Report with Comments
Appendix B	Summaries of performance
Appendix C	Exec DMT Children's Services Performance Report for Quarter 4 of 2012-13 – this is a detailed report covering all indicators that are currently in operation in Children's Services.
Appendix D	Customer Satisfaction Data

## **5. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Stuart Carlton, who can be contacted on 01522 554051 or [stuart.carlton@lincolnshire.gov.uk](mailto:stuart.carlton@lincolnshire.gov.uk).

## Appendix A(i): Summary Exception Report (Worse or better than target)

Symbol Key		
Performance band	Symbol	Colour
Better than target	+	Green
Worse than target	◆	Red

Performance Indicators - Red - Children and Young People Scrutiny Committee						
Measure Name	Actual Dec 2012	Target Dec 2012	Actual Mar 2013	Target Mar 2013	Head of Service Comment and Action	Scrutiny Committee Date
Scrutiny Committee Outcome						
Number of children subject to a Child Protection Plan per 10,000 children	21.79	19.00	21.22	19.00	The number of children subject to a Child Protection has reduced slightly from the last quarter but is still above the target. The numbers are being closely monitored by both SMT and Conference chairs and the children subject to a plan are deemed appropriate. [Comment provided by Roz Cordy]	14 June 2013
Performance Indicators (7 month lag) - Red - Children and Young People Scrutiny Committee						
Measure Name	Actual Aug 2011	Target Aug 2011	Actual Aug 2012	Target Aug 2012	Head of Service Comment and Action	Scrutiny Committee Date
Scrutiny Committee Outcome						
The percentage point gap between pupils eligible for free schools meals (FSM) achieving at least Level 4 in English and Maths at Key Stage (KS) 2 and pupils ineligible for FSM achieving the same outcome.	26.00	19.00	21.00	18.00	The Free School Meal Gap at Key Stage 2 narrowed by 6 percentage points in 2012, and is now below the average of our "statistical neighbour" authorities. The introduction of the "Pupil Premium" and extension of the criteria for counting Free School Meal Eligible pupils means that there is a greater focus from Ofsted regarding the performance of this cohort. Lincolnshire School Improvement Service are working closely with schools to direct these additional funds towards achieving the best outcomes for those pupils who are eligible. Early intervention work through Children's Centres and schools is narrowing the gap in achievement within the Foundation Stage, and this will eventually feed through to the measure at Key Stage 2. [Comment provided by Keith Batty]	14 June 2013

Performance Indicators (7 month lag) - Red - Children and Young People Scrutiny Committee

Measure Name	Actual Aug 2011	Target Aug 2011	Actual Aug 2012	Target Aug 2012	Head of Service Comment and Action	Scrutiny Committee Date	Scrutiny Committee Outcome
The percentage point gap between pupils eligible for FSM achieving 5A*-C grades at GCSE (and equivalent), including GCSE English and Maths, at KS4 and pupils ineligible for FSM achieving the same outcome.	32.07	31.00	32.30	30.00	<p>The Free School Meal gap remains high compared to national figures, but is comparable to other Shire authorities. The actual performance of FSM eligible pupils is comparable to our peers; however, Lincolnshire is a high performing authority at Key Stage 4 and this contributes to the gap calculation. The introduction of the "Pupil Premium" and extension of the criteria for counting Free School Meal Eligible pupils means that there is a greater focus from Ofsted regarding the performance of this cohort. Lincolnshire School Improvement Service are working closely with schools to direct these additional funds towards achieving the best outcomes for those pupils who are eligible. The Raising of the Participation Age agenda will also ensure that this gap is narrowed by ensuring young people continue to learn post statutory education. [Comment provided by Keith Batty]</p>	14 June 2013	



## Appendix A(ii): Council Priority Activities with comments

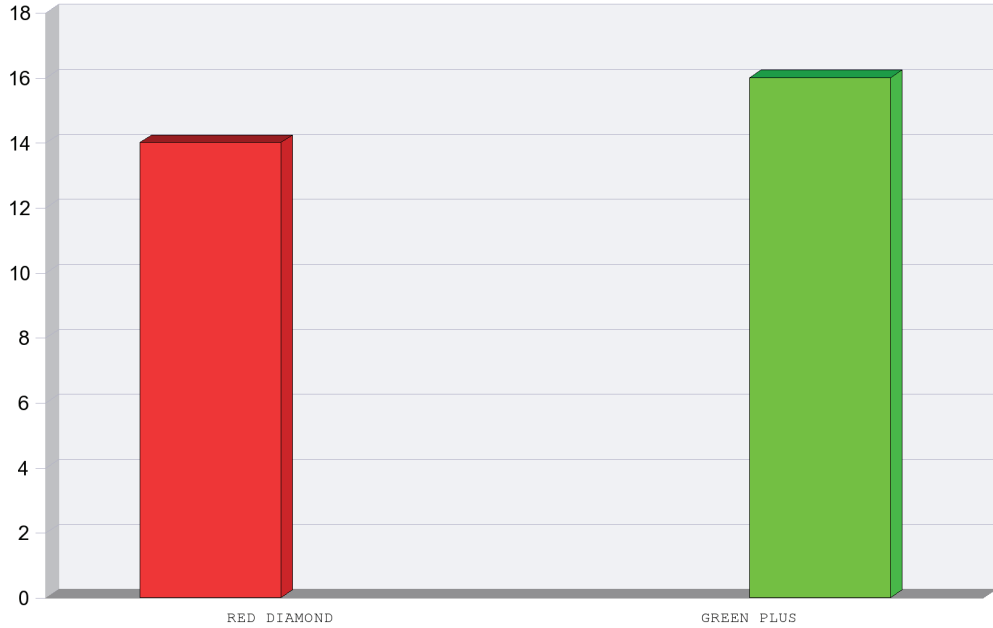
Date created: 08-Apr-13  
Position as at 31-Mar-13

Symbol Key			
	Green - No Issues		Blue - No significant concerns
	Red - Significant issue(s)		Not yet started
	Missing information		

Activity Name	Overall Summary		Comment
	Feb 2013	Mar 2013	
<b>Children &amp; Young People Scrutiny Committee</b>			
<b>Programme</b>			
Raising the Participation Age			<p>Progress is in line with plan. The Department for Education have published statutory guidance on 'The participation of young people in education employment or training for local authorities' at the end of March 2013. An assessment of readiness to meet the statutory duties will be completed during April.</p> <p><b>Scrutiny Comments</b> The Committee considered an update on the programme in the quarter 3 performance report received at the meeting on 1 March 2013. The Committee was satisfied with the progress being made on the programme. The issues around this programme were discussed as part of the report on Information, Advice and Guidance and will be further discussed as part of other reports relating to post-16 changes, namely Improving Access to Post-16 Learning Provision in Lincolnshire Action Plan – Second Monitoring Update and Schools Sixth Forms which will both be considered by the Committee at the meeting on 14 June 2013. An update on the Raising the Participation Age programme is due to a future meeting.</p>

Activity Name	Overall Summary		Comment
	Feb 2013	Mar 2013	
Project			
FWT Troubled Families	◆	◆	<p>Work is ongoing to identify families and meet the requirements of the Troubled Families Unit in Whitehall. We are currently behind targets for the number of families: identified; engaged with; and for whom we have produced a successful outcome.</p> <p>We are taking measures to rectify this through the expansion of the Operational team, the majority of which will come through secondments from partner organisations. We are confident that these additions will enable the project to effectively meet objectives in the medium-to-long-term.</p> <p><b>Scrutiny Comments</b> The Committee considered this project for the first time at its meeting on 1st March 2013. The Committee was satisfied with the progress made but highlighted that a major issue will be sustainability and further funding in order to maintain the benefits in the future. The Committee requested a statistical report in 12 months time to update on what progress has been made on the project.</p> <p>Start-up funding has been released to 31 partnerships (involving 130 schools). Year 1 partnership funding has now been released to 21 of these groups. Impact analysis to assess the effect of collaborative working on small schools is now underway and will continue.</p> <p><b>Scrutiny Comments</b> The Committee considered two reports on this project at its meetings on 3 February 2012 and 20 July 2012. The Committee strongly supported the proposed project. The proposals for this project were also discussed as part of the reports received at the meetings on 7 September 2012 and 19 October 2012 on School Funding Arrangements for 2013/14. The Committee considered an update on the project in the quarter 3 performance report received at the meeting on 1 March 2013 and was satisfied with the progress being made on the project.</p> <p>The project continues to make good progress. Instructions have been sent to LSL to draft agreements for 6 youth centres; a further centre is awaiting approval by the DoR and discussions are underway with a further 11 centres. 1 centre is in the process of being sold and 1 centre will remain with LCC but with other organisations timetabled to deliver activities.</p> <p><b>Scrutiny Comments</b> The Committee considered two reports on this project at its meetings on 20 April 2012 and 19 October 2012. The Committee was satisfied with the progress being made with the project and requested that the next update sets out what is happening to the youth workers employed at the youth centres, how many young people are engaged and how many activities are taking place. The Committee considered an update on the project in the quarter 3 performance report received at the meeting on 1 March 2013 and was satisfied with the progress being made on the project. An update report on this programme is due to come to a future meeting.</p>
Small Schools Collaboration	●	●	
Youth and Community Development	●	●	

## Performance Summary



### *RED DIAMOND*

Measure Name
2023SC: No. subject to a CPP per 10,000 population <18
2042SC: LAC per 10,000 population aged under 18
CS117: % 16-19 teenage mothers in EET
CS119: % participation in learning for young people with LDD leaving Yr 11
CS127: % of CWD who've had a transitional annual review
CS159: Percentage of families of children with disabilities using direct payments
CS160: Percentage of 16 to 18 year-olds whose situation is 'unknown' on Aspire
NI060 Percentage core assessments for children's social care carried out < 35 working days
NI061 Timeliness and stability of adoption of looked after children
NI062 Stability of placements of looked after children: number of moves
NI063 Stability of placements of looked after children: length of placement
NI066 Looked after children cases which were reviewed within required timescales
NI067 Percentage of child protection cases which were reviewed within required timescales
NI114 Rate of permanent exclusions from school

## GREEN PLUS

Measure Name
CS014 Rate of fixed term exclusions
CS043: Primary School persistent absence rate
CS052: % of CwD who participate in their short-term breaks review
CS156: Number of full Duke of Edinburgh awards gained
NI059P Percentage of Initial assessments for children's social care carried out < 10 working days
NI065 Children becoming the subject of a Child Protection Plan for a second or subsequent time
NI068 Percentage of referrals to children's social care going on to initial assessment
NI072 At least 78 points across Early Years Foundation Stage with at least 6 in each of the scales
NI087 Secondary school persistent absence rate
NI092 Narrowing the gap - lowest achieving 20% the Early Yrs Foundation Stage Profile vs the rest
NI099 Children in care reaching level 4 in English at Key Stage 2
NI100 Looked after children reaching level 4 in mathematics at Key Stage 2
NI101 Looked after children achieving 5 A*-C GCSEs (or equivalent) at KS 4 (with English and Maths)
PAF B79: Fostering/adoption of LAC aged 10 to <16
PAF C23 (BV163): Adoptions of LAC
PAF C24: LAC absent from School

Janice Spencer

RED DIAMOND

2023SC: No. subject to a CPP per 10,000 population <18

Owner: Roz Cordy

Polarity: Smaller is Better

Unit: Number per 10,000

CBP ✓ CYPP ✓

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			17.01			19.95			21.79			21.22
Target			19			19			19			19
Symbol			+			◆			◆			◆

Latest Comments:

Comment Author: Roz Cordy - Comment Subject: Head of Service Commentary

No number of children subject to a Child Protection has reduced slightly from the last quarter but is still above the target. The numbers are being closely monitored by both SMT and reference chairs and the children subject to a plan are deemed appropriate.

2042SC: LAC per 10,000 population aged under 18

Owner: Roz Cordy

Polarity: Smaller is Better

Unit: Number per 10,000

CBP ✓ CYPP ✓

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			37.47			37.54			40.29			42.22
Target			36			38			40			40
Symbol			◆			●			●			◆

Latest Comments:

Comment Author: Roz Cordy - Comment Subject: Head of Service Commentary

On the 31st March there were 591 children looked after which was above target. The decision for a child to be accommodated is made at senior management level to ensure that it is appropriate and all alternative options have been actioned and reviewed.

## Performance Report - Quarter 4 2012/13

NI060 Percentage core assessments for children's social care carried out < 35 working days

Owner: Sal Thirlway

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>			81.72			78.05			79.97			82.65
<b>Target</b>			85			85			85			85
<b>Symbol</b>			◆			◆			◆			◆

### Latest Comments:

Comment Author: Sal Thirlway - Comment Subject: Head of Service Commentary

Whilst there has been a continued increase in performance, we are still below tolerance. However, it remains the case that we still perform better than our statistical neighbours (based on 2011-2012 data).

NI061 Timeliness and stability of adoption of looked after children

Owner: Tara Jones

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>			66.67			81.3			70.37			81.08
<b>Target</b>			90			90			90			90
<b>Symbol</b>			◆			◆			◆			◆

### Latest Comments:

Comment Author: Tara Jones - Comment Subject: Head of Service Commentary

This has been a challenging year for performance in NI061, as a number of historical cases where children have had a disruption, has impacted upon the ability to meet the 12 month timescale. For example a child was placed for adoption and this placement disrupted. Delay was caused by the decision to place her with a sibling. This was a positive outcome in terms of keeping siblings together and the adoption order has now been granted. Another sibling group, whose adoptive placement disrupted, were eventually adopted by their foster carers. The foster carers needed to be reassessed as adopters which added delay to the process. A child with severe global delay was eventually adopted by a family after extensive in house and external family finding. A decision was made not to change his plan to permanent fostering and although some delay was inevitable, he is now thriving in his adoptive placement. Despite a slight reduction from last year's performance, the adoption scorecard still places Lincolnshire amongst the top performing authorities, with Lincolnshire's percentage of children who wait less than 21 months between entering care and moving in with their adoptive family at 72% compared with the England three year average of 56%.

## Performance Report - Quarter 4 2012/13

### NI062 Stability of placements of looked after children: number of moves

Owner: John Harris

Polarity: Smaller is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>			1.92			4.21			5.86			8.12
<b>Target</b>			6.5			6.5			6.5			6.5
<b>Symbol</b>			+			+			+			◆

#### Latest Comments:

Comment Author: John Harris - Comment Subject: Head of Service Commentary

The target has not been met. There has been a sustained increase in the number of looked after children increasing in the year and this has made effecting good matches at the point of admission problematic. Despite comprehensive recruitment activity in the full year the number of foster carers has remained largely static as a result of retirements and conversions to other orders. As a result, this has led to some foster carers being used more frequently. There is concerted ambition for 2013/14 to grow the number of carers in line with this sustained increase in number of looked after children. At the same time the service has reviewed the 20 children who have moved into this cohort in the last quarter. There appear to be 2 groups of children who affect this indicator. Firstly those older children subject to care proceedings who are removed from parents only to disrupt a series of placements before being reunified. These account for 7 of this number. The other group are babies who are placed in foster carer with parents. 3 of this cohort were such placements where a court decision resulted in children moving from a foster placement to a Parent and Child placement prior to a plan for permanence or in one case, reunification. For these 10 children, the outcomes are positive and are primarily attributable to unsuitable fostering resources.

### NI063 Stability of placements of looked after children: length of placement

Owner: John Harris

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>			71.59			70.79			69.83			69.41
<b>Target</b>			73			73			73			73
<b>Symbol</b>			●			◆			◆			◆

#### Latest Comments:





Comment Author: John Harris - Comment Subject: Head of Service Commentary

The performance has deteriorated marginally. It remains ahead of the performance of statutory neighbours. There remains an issue for foster carers in managing persistent and challenging behaviours. Young people also choose to end placements after several years of stability. A recent review of placements that have broken down indicate that the service needs to ensure that specialised training is made available to all permanent carers. Permanence also coincides with a reduction in the frequency of Social Work visits and the service is working together with Looked After childrens team to better ensure effective support and monitoring of these placements.

**GREEN PLUS**

**NI059P Percentage of Initial assessments for children's social care carried out < 10 working days**

Owner: Sal Thirlway Polarity: Bigger is Better Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>			86.56			84.91			87.23			88.25
<b>Target</b>			85			85			85			85
<b>Symbol</b>												





**Latest Comments:**

Comment Author: Sal Thirlway - Comment Subject: Head of Service Commentary

Performance in the final quarter has improved again, and has placed activity as better than tolerance.

**NI065 Children becoming the subject of a Child Protection Plan for a second or subsequent time**

Owner: Roz Cordy Polarity: Smaller is Better Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>			22.97			14.59			14.43			12.35
<b>Target</b>			16			16			16			16
<b>Symbol</b>												

**Latest Comments:**

Comment Author: Roz Cordy - Comment Subject: Head of Service Commentary

This has continued to over perform which is positive as it evidences that a lower number of children are subject to a second or subsequent plan and therefore the previous interventions had been effective and sustained.



## Performance Report - Quarter 4 2012/13

### NI068 Percentage of referrals to children's social care going on to initial assessment

Owner: *Sal Thirlway*      Polarity: *Bigger is Better*      Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>			78.45			87.18			87.87			91.22
<b>Target</b>			82			82			82			82
<b>Symbol</b>			◆			+			+			+

**Latest Comments:**

Comment Author: *Sal Thirlway* - Comment Subject: *Head of Service Commentary*

Referrals to Children's Services going on to initial assessments has improved further this quarter. Targeted and Universal services are still being utilised appropriately, reducing the number of referrals that are closed at referral.

### NI099 Children in care reaching level 4 in English at Key Stage 2

Owner: *Karen Bailey*      Polarity: *Bigger is Better*      Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>					58							
<b>Target</b>					30							
<b>Symbol</b>					+							

**Latest Comments:**

Comment Author: *Karen Bailey* - Comment Subject: *Head of Service Commentary*

The percentage of looked after children reaching level 4 in English at Key stage 2 is 58%. This is 28% well above the target of 30%. This high achievement cannot be attributed to just one factor. Looked after children in Key Stage 2 will have LACES support through home tuition, targeted additional education resources into the foster home, access to JUMP and support in school through Pupil Premium - the combination of these has produced the high achievement at KS2.

## Performance Report - Quarter 4 2012/13

NI100 Looked after children reaching level 4 in mathematics at Key Stage 2

Owner: Karen Bailey

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>					58							
<b>Target</b>					30							
<b>Symbol</b>					+							

**Latest Comments:**

Comment Author: Karen Bailey - Comment Subject: Head of Service Commentary

The percentage of looked after children reaching level 4 in Maths at Key Stage 2 is 58%. This is 28% well above the target of 30%. This high achievement cannot be attributed to just one factor. Looked after children in Key Stage 2 will have LACES support through home tuition, targeted additional education resources into the foster home, access to JUMP and support in school through Pupil Premium - the combination of these has produced the high achievement at KS2.

NI101 Looked after children achieving 5 A\*-C GCSEs (or equivalent) at KS 4 (with English and Maths)

Owner: Karen Bailey

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>					24							
<b>Target</b>					12							
<b>Symbol</b>					+							

**Latest Comments:**

Comment Author: Karen Bailey - Comment Subject: Head of Service Commentary

Looked after children achieving 5A\*-C GCSE (or equivalent) at KS4 (with English and maths) is 24%. This is double the set target and the highest level to date for Lincolnshire looked after children. Lincolnshire LAC have achieved 9% above the national average for looked after children. This achievement is due to the individual young people accepting the additional support and home tuition offered to them by LACES and schools.

**Performance Report - Quarter 4 2012/13**

PAF B79: Fostering/adoption of LAC aged 10 to <16

Owner: John Harris

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>			90.91			91.67			89.6			89.74
<b>Target</b>			87			87			87			87
<b>Symbol</b>			+			+			+			+

**Latest Comments:**

Comment Author: John Harris - Comment Subject: Head of Service Commentary

Performance has increased slightly within the quarter and remains ahead of target. For all children requiring placement, fostering is the preferred choice of placement. Even at a time of increased placement demand and complexity, this remains the case. In order to maintain this performance, the fostering service continues to recruit carers but this is achieved against a backdrop of increased competition from independent fostering providers.

PAF C23 (BV163): Adoptions of LAC

Owner: Tara Jones

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>			1.72			5.91			13.72			15.23
<b>Target</b>			3			5			8			10
<b>Symbol</b>			◆			+			+			+

**Latest Comments:**

Comment Author: Tara Jones - Comment Subject: Head of Service Commentary

This is excellent performance, the target being 10%. The service has exceeded this target with the percentage increasing to 15.23%. This performance is related to the timely performance of the courts and the adoption service and has ensured that children's stability is secured through adoption orders.

Performance Report - Quarter 4 2012/13

PAF C24: LAC absent from School

Owner: Karen Bailey

Polarity: Smaller is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual						1.6						
Target						4						
Symbol						+						
<b>Latest Comments:</b>												
Comment Author: Karen Bailey - Comment Subject: Head of Service Commentary												
The percentage of looked after children absent from school is 1.6% and is within the target set at 4% or less. This equates to 5 individuals . All looked after children with an absence rate of 85% or lower are identified by LACES and an individual absence plan produced through a multi-agency group.												

**BLUE CIRCLE**

CS108: % LAC (> 20 days) with a PEP

Owner: Karen Bailey

Polarity: Bigger is Better

Unit: %

CBP  CYPP 

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			90.21			77.6			84.24			90.03
Target			94			94			94			94
Symbol												

**Latest Comments:**

Comment Author: Karen Bailey - Comment Subject: Head of Service Commentary

The percentage of LAC with a PEP is currently 90.03% and this is within target of 94.00%. The LACES team work constantly with social care and schools to ensure PEPs are completed within timescale and to a quality standard.





CS145: the percentage of LAC with an up-to-date dental check

Owner: Tara Jones

Polarity: Bigger is Better

Unit:

CYPP 

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			90.4			90.2			88.7			92.6
Target			95			95			95			95
Symbol												

**Latest Comments:**

Comment Author: Tara Jones - Comment Subject: Head of Service Commentary

This indicator has improved since quarter 3, seeing 92.60% of LAC with an up to date dental check. Although within the tolerance level, there is a need for continuous improvement. As with Health assessments, there are a small number of refusers, but work continues to encourage young people to attend dental checks. Data cleaning champions are in place within all teams and are responsible for correcting any errors.

Performance Report - Quarter 4 2012/13

CS146: The percentage of LAC with up-to-date routine immunisations

CYPP

Owner: Tara Jones

Polarity: Bigger is Better

Unit:



	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			91.8			87.8			95.5			94.6
Target			95			95			95			95
Symbol												

Latest Comments:

Comment Author: Tara Jones - Comment Subject: Head of Service Commentary

This indicator is within the tolerance level, with 94.60% of LAC with up to date routine immunisations. This performance reflects the work which has been undertaken to ensure that the designated GP's complete the immunisation section of the health assessments. There are minimal data cleaning errors, which have not been cleansed in a timely manner. Had this cleaning been completed, this indicator would have been above target.

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CS165C: % of referrals that are repeats, within 12 mths (QP7.1)

Owner: Sal Thirlway

Polarity: Smaller is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			17.42			17.63			18.25			18.53
Target			18			18			18			18
Symbol												

Latest Comments:

Comment Author: Sal Thirlway - Comment Subject: Head of Service Commentary

The level of repeat referrals continues to be within tolerance, which gives confidence that children's needs are predominantly being met on first referral.

Performance Report - Quarter 4 2012/13

CS012: % of privately fostered children visited within required timescales

Owner: John Harris

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			96.77			97.5			94.55			87.3
Target			87			87			87			87
Symbol			+			+			+			●

No Comment Required (on target)

CS144: The percentage of LAC with an up-to-date health check

Owner: Tara Jones

Polarity: Bigger is Better

Unit:

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			88.3			86.8			86.1			94.2
Target			95			95			95			95
Symbol			◆			◆			◆			●

Next Comments:

Comment Author: Tara Jones - Comment Subject: Head of Service Commentary

The target of 95% is a high aspirational target to meet, but one which the service is proactively managing. Performance has improved since quarter 3 and is now at 94.20% which is within the tolerance range. The actual percentage of LAC with an up to date health check recorded by Health is 95.6%, this is an increase upon last year's performance. As Health receive the completed health assessments prior to social care, their data is a more reliable source. ICS input has accounted for some of the performance errors and these have now been cleansed. The number of refusers has reduced slightly from 2.07 to 2.03%, this is a positive improvement as there are a number of persistent refusers, who despite encouragement and awareness, still refuse to attend for their health assessment.

Performance Report - Quarter 4 2012/13

NI064 Child protection plans lasting 2 years or more

Owner: Roz Cordy

Polarity: Smaller is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			1.28			3.4			2.81			4.02
Target			4			4			4			4
Symbol			+			+			+			●

Latest Comments:

Comment Author: Roz Cordy - Comment Subject: Head of Service Commentary

The number of children on a plan for more than two years was 15 on the 31st of March. This was on target. All children who are on a plan more than 18 months are closely monitored and reviewed on a multi agency basis to ensure that this is still the appropriate plan.

NI147 Care leavers in suitable accommodation

Owner: John Harris

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			89.47			86.21			89.66			91.38
Target			93			93			93			93
Symbol			◆			◆			◆			●

No Comment Required (on target)



Performance Report - Quarter 4 2012/13

NI148 Care leavers in education, employment or training

Owner: John Harris

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			75.44			65.52			77.59			70.69
Target			70			70			70			70
Symbol			+			◆			+			●
No Comment Required (on target)												

Meredith Teasdale

RED DIAMOND

CS159: Percentage of families of children with disabilities using direct payments

CYPP



Owner: Sheridan Dodsworth

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual												48.29
Target												50
Symbol												◆

Test Comments:

Comment Author: Sheridan Dodsworth - Comment Subject: Head of Service Commentary

This is the first report against this indicator. The target set for 2012/13 was 50% and was based on those families already receiving Direct Payments and the likelihood of other families wishing to use Personal Budgets. It is under-performing by 1.7%

During the first tranche of the roll out of Personal Budgets the take up by families has been relatively low. Work is being undertaken to get a better understanding of why this has not been the preferred choice for families, at this time, to manage their child's care. That said the figure of 48.29% is evidence of the importance that Practitioners involved with children with disabilities place on supporting families to use Direct Payments as a positive choice in meeting care needs.

## Performance Report - Quarter 4 2012/13

CS127: % of CWD who've had a transitional annual review

Owner: Sheridan Dodsworth

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>			96.49			98.31			98.68			82.26
<b>Target</b>			94			94			94			94
<b>Symbol</b>			+			+			+			◆

### Latest Comments:

Comment Author: Sheridan Dodsworth - Comment Subject: Head of Service Commentary

This indicator is currently showing under-performance of almost 12% and is a significant drop in performance since the last quarter where performance exceeded the target of 94%.

The Head of Service has commissioned a short review of the cases where young people have not had an annual Transitional Review. Early indication shows that 5 young people have reached their 18th birthday during the reporting period and have been closed to the Children with Disabilities (CWD) Team prior to Annual Review and therefore information is not captured in this particular data set.

One young person's Statement of Special Educational Needs ended last year but is not reflected in the data. The CWD team will work with the Performance Team to ensure that data is being recorded accurately to ensure that it is pulled through to the relevant reports.

Three young people reached their 14th birthday during the reporting period and have therefore not yet had their annual review but the CWD team is ensuring that schools have these booked for the summer term.





Finally, the review has identified recording errors which are being addressed by the Team Manager.

The required amendments to the data are being undertaken and will ensure that accurate reporting follows and performance level returns to the usual high standard.

**GREEN PLUS**

CS052: % of CwD who participate in their short-term breaks review

Owner: Sheridan Dodsworth      Polarity: Bigger is Better      Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	28/02/13	31/03/13
Actual			91.9			93.7			98.1		96.4
Target			94			94			94		94
Symbol											

**Latest Comments:**

Comment Author: Sheridan Dodsworth - Comment Subject: Head of Service Commentary

This quarter's target of 94% was exceeded by 2.4% reflecting the work of the Children with Disabilities team who have continued to ensure that children with disabilities participate in their short-term breaks review. Work is always on-going to ensure that children's voices are heard through their reviews and their wishes and feelings respected.





**BLUE CIRCLE**

CS077: % of open referrals to CWD (excl. OT) and Transition Teams that have a transition plan

Owner: Sheridan Dodsworth

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	28/02/13	31/03/13
Actual			98.3			88.1			96.2		96.8
Target			95			95			95		95
Symbol											

**Latest Comments:**

Comment Author: Sheridan Dodsworth - Comment Subject: Head of Service Commentary

Performance in this last quarter has increased again on the previous quarter by a further 0.6%. This is testament to the continued efforts of the Children with Disabilities Team in following up all children who are required to have a Transition Plan and ensuring that recording is accurate. As a result performance is now exceeding the target of 95% by 1.8%.

Stuart Carlton

**RED DIAMOND**

NI066 Looked after children cases which were reviewed within required timescales

Owner: David McWilliams Polarity: Bigger is Better Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			100			99.41			99.63			98.77
Target			100			100			100			100
Symbol												

**Latest Comments:**

Comment Author: David McWilliams - Comment Subject: Head of Service Commentary

Unfortunately there are 4 children who had late LAC Reviews, notifications that these children had become looked after were not received until after the date that they should have been reviewed.

NI067 Percentage of child protection cases which were reviewed within required timescales

Owner: David McWilliams Polarity: Bigger is Better Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			99.39			100			98.86			96.84
Target			100			100			100			100
Symbol												

**Latest Comments:**

Comment Author: David McWilliams - Comment Subject: Head of Service Commentary

Throughout the whole 12 month reporting period, there was only one out of time scale case which can be attributed to a sibling group of 3 which had a late Child Protection Conference in January 2013. This was due to a late notification of a staff absence. This situation has been dealt with to ensure it isn't repeated.

**GREEN PLUS**

**CS156: Number of full Duke of Edinburgh awards gained**

Owner: David McWilliams

Polarity: Bigger is Better

Unit: Number

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			244			468			748			1,004
Target			182			365			547			730
Symbol			+			+			+			+

**Latest Comments:**

Comment Author: David McWilliams - Comment Subject: Head of Service Commentary

The reason for the excellent performance is down to the sheer hard work of a small and dedicated team and they deserve great credit for their commitment to extending their reach across the County. We have had a much better than expected year in terms of schools initiating or developing the Duke of Edinburgh Awards scheme and this can be attributed to the sheer hard work and efforts of this small, dedicated team.

Schools and academies are keen to demonstrate a commitment to the Award and this is proving to be beneficial for the students when applying for positions and University places evidenced through UCAS forms and CVs. We are predicting that the noticeable rise over the past 12 months is likely to plateau in 2013-2014 (mainly due to there being very few schools in Leicestershire who are not offering currently offering D of E).





**BLUE CIRCLE**

**CS141: Children's Centres Targeted Reach Achieved**

Owner: *Cornelia Andrecut*

Polarity: *Bigger is Better*

Unit:

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			56.4			70.2			72.37			69.03
Target			70			70			70			70
Symbol												

**Latest Comments:**

Comment Author: *Cornelia Andrecut* - Comment Subject: *Head of Service Commentary*





Performance has slightly decreased since last quarter and stands at 69.1% (which is 0.9% under target of 70%). It is expected that this will improve as all locality teams actively work on improving this target. Teams are focusing on both increasing the number of registration and capturing all relevant activity on the Children's Centre's data system.

**NAF C63: Participation of LAC in reviews**

Owner: *David McWilliams*

Polarity: *Bigger is Better*

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			99.6			99.74			99.75			99.52
Target			100			100			100			100
Symbol												

**Latest Comments:**

Comment Author: *David McWilliams* - Comment Subject: *Head of Service Commentary*

Unfortunately 1 young person did not participate in her review, as she was living at home and refused to engage.



Keith Batty

RED DIAMOND

CS119: % participation in learning for young people with LDD leaving Yr 11

CYPP

Owner: Maggie Freeman

Polarity: Bigger is Better

Unit: %



	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual									86.9			
Target									95			
Symbol									◆			

Latest Comments:

Comment Author: Maggie Freeman - Comment Subject: Head of Service Commentary

A decision was made to refine the definition of LDD on aspire to include:

- a young person is deemed to have a learning difficulty and or disability if he/she:
  - had a statement of special educational need (SEN) at the time of completing compulsory education; or
  - is still attending school and has been given a SEN since completing compulsory education; or
  - has received a learning difficulty assessment.
- Young people assessed as school action or school action plus are not now recorded as having a LDD

Previously, the figures included young people on school action and school action plus, as well as young people who the careers adviser (or previously Connexions Adviser) considered to have a learning disability. The refined definition reflects more accurately the cohort, but explains the underperformance as will now only include young people with higher and more complex needs. The DfE have announced this month that the definitions we have adopted are those they will require us to use in the future for reporting on Raising the Participation Age.

We have a strategy in place to improve post 16 education opportunities for young people with LDD to which stakeholders including special schools, post 16 providers (including FE colleges and independent providers), and the voluntary sector and have signed up. As a result there are various innovative and collaborate developments across the county creating new opportunities and improved transition for these young people.

Performance Report - Quarter 4 2012/13

NI114 Rate of permanent exclusions from school

CYPP

Owner: Gary Nixon

Polarity: Smaller is Better

Unit: %



	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual					0.14							
Target					0.13							
Symbol												

Latest Comments:

Comment Author: Gary Nixon and Keith Batty - Comment Subject: Head of Service Commentary

Permanent exclusions targets are on an upward projectory. This situation is being closely monitored and officers are in the process of identifying target schools for supportive intervention, however the increase in the number of academies is making this a rather challenging process.

The following actions are taking place:

- 1) The CYSPC sub group is currently examining all aspects of exclusion from school, mid-year admissions and SEND admissions relating to previous exclusion.
- 2) Head teachers exclude and as such we are looking into why some do and others do not
- 3) Education Advisors have been notified of any high excluding schools and will be engaging in discussions with maintained School Head teachers
- 4) Dialogue is ongoing with all Academy Head teachers and all are due to receive a personal visit by the Senior Education Officer responsible for this area of work.
- 5) An action plan has been drawn up to ensure that remedial action is implemented straight away and a long term strategy is devised for approval
- 6) Head Teacher focus groups are considering how best to collectively address children out of school issues, for adoption county-wide
- 7) A new protocol is being developed for implementation in September by which academies are monitored and challenged.

Performance Report - Quarter 4 2012/13

CS160: Percentage of 16 to 18 year-olds whose situation is 'unknown' on Aspire

Owner: Maggie Freeman

Polarity: Smaller is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			22.1			44.9			16.2			10.89
Target			5.83			5.83			5.83			5.83
Symbol			◆			◆			◆			◆

Latest Comments:

Comment Author: Maggie Freeman - Comment Subject: Head of Service Commentary

There has been significant improvement in performance during the last quarter. The remaining underperformance is due in the main to a high number of 18 year olds for whom we have no information. The local authority has a duty to track the participation of 18 year olds, but no further duties in relation to encouraging or supporting participation. There was no resource allocated to tracking or supporting young people who are NEEET aged 16 - 18 in the year from September 2011 to August 2012 and as a result we lost contact with many young people. We have commissioned the Customer Services team to contact as many of these young people as possible during this year, leading to some improvement. However, there are a significant number of 18 year olds for whom we no longer have contact details and are therefore unable to verify their education status. Performance in relation to 16 and 17 year olds is improved at 3.4% and 7.3% respectively.


**GREEN PLUS**

**CS014 Rate of fixed term exclusions**

Owner: Gary Nixon

Polarity: Smaller is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual					2.94							
Target					3.23							
Symbol												

**Latest Comments:**

Comment Author: Patrick Heppenstall and Keith Batty - Comment Subject: Head of Service Commentary

Fixed term exclusions continue to be monitored closely, they are currently within the target set. As with permanently exclusions, officers within Additional Needs are working with colleagues from the School Improvement Service to heighten awareness around the appropriateness of exclusion, opposed to other measures which are more supportive.

A new protocol is being developed for implementation in September by which academies are monitored and challenged.

## Performance Report - Quarter 4 2012/13

### CS043: Primary School persistent absence rate

Owner: John O'Connor

Polarity: Smaller is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>					3.7							
<b>Target</b>					5.1							
<b>Symbol</b>					+							

#### Latest Comments:

Comment Author: John O'Connor and Keith Batty - Comment Subject: Head of Service Commentary

Education Welfare Services (EWS) started trading in earnest from September 2011 and schools were able to purchase either an education welfare officer or parent support advisor to help tackle attendance issues. The impact of these services is evident as this year's performance is 1.4% better than last years. However, we are still 0.3% worse when compared to all primary schools nationally.

Starting this September, a new EWS model was devised to specifically tackle those primary schools with the most significant levels of persistent absence to improve the performance even further.

As this is an end of year figure this performance has been achieved.

A new protocol is being developed for implementation in September by which academies are monitored and challenged.

### CS072 At least 78 points across Early Years Foundation Stage with at least 6 in each of the scales

Owner: Stephanie Douglas

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>					70							
<b>Target</b>					66							
<b>Symbol</b>					+							

#### Latest Comments:

Comment Author: Steph Douglas - Comment Subject: Head of Service Commentary

The percentage of children achieving 78 points or more across all 13 scales and 6+ in PSED and CLL in Lincolnshire rose by 5% in 2012 to 70%. The results have significantly surpassed the target set of 59%. In comparison to National Outcomes in 2012 Lincolnshire exceeded the national scores by 6%. Lincolnshire is placed well within the top 10% of all LAs nationally. Increases in scores are contributed to improved assessment processes in schools, extensive LA moderation of outcomes at school level and enhanced quality of early years provision across Lincolnshire.

## Performance Report - Quarter 4 2012/13

### NI087 Secondary school persistent absence rate

Owner: John O'Connor

Polarity: Smaller is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>					6.9							
<b>Target</b>					9.1							
<b>Symbol</b>					+							

#### Latest Comments:

Comment Author: John O'Connor and Keith Batty - Comment Subject: Head of Service Commentary

Education Welfare Services (EWS) started trading in earnest from September 2011 and schools were able to purchase either an education welfare officer or parent support advisor to help tackle attendance issues. The impact of these services is evident as this year's performance is 2.2% better than last years. However, we are still 0.1% worse when compared to all secondary schools nationally.

Starting this September, a new EWS model was devised to specifically tackle those secondary schools with the most significant levels of persistent absence to improve the performance even further.

As this is an end of year figure this performance has been achieved.

A new protocol is being developed for implementation in September by which academies are monitored and challenged.

### NI092 Narrowing the gap - lowest achieving 20% the Early Yrs Foundation Stage Profile vs the rest

Owner: Stephanie Douglas

Polarity: Smaller is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
<b>Actual</b>					27.1							
<b>Target</b>					27.7							
<b>Symbol</b>					+							

#### Latest Comments:

Comment Author: Steph Douglas - Comment Subject: Head of Service Commentary

The achievement gap between the lowest attaining 20% of children and the mean reduced by 1.6% across Lincolnshire in 2012. The gap is smaller than England as a whole by 3.0%. This places the LA just within the top 10% of LAs, with the gap narrowing at a greater rate than the national. The gap continues to narrow for those children accessing FSM. This is due to increased targeted support for this group of children in schools and Children's Centres across the LA and improved identification of specific needs.

**BLUE CIRCLE**

CS118: % 16-19 LDD clients in EET

Owner: Gary Nixon

Polarity: Bigger is Better

Unit: %

CBP



	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual									85.6			
Target									87			
Symbol												

**Latest Comments:**

Comment Author: Patrick Heppenstall and Maggie Freeman - Comment Subject: Head of Service Commentary

The performance is due to a change in definition of LDD.

**P 199 201**

The definition of LDD now only includes those young people who have a statement of educational need or a section 139a assessment. This criteria means those young people defined as LDD are those with more complex needs and therefore who will experience greater barriers to progression into post 16 education, training or employment. The new definition is in line with the new DFE guidance.

We have a strategy in place to improve post 16 education opportunities for young people with LDD to which stakeholders including special schools, post 16 providers (including FE colleges and independent providers), and the voluntary sector and have signed up. As a result there are various innovative and collaborate developments across the county creating new opportunities and improved transition for these young people.

Public Health

RED DIAMOND

CS117: % 16-19 teenage mothers in EET

CYPP



Owner: Marie Jarrett

Polarity: Bigger is Better

Unit: %

	30/04/12	31/05/12	30/06/12	31/07/12	31/08/12	30/09/12	31/10/12	30/11/12	31/12/12	31/01/13	28/02/13	31/03/13
Actual			17			20.4			18.7			23.16
Target			25			25			25			25
Symbol			◆			◆			◆			◆

Test Comments:

Comment Author: Marie Jarrett - Comment Subject: Head of Service Commentary

The Teenage Pregnancy Action Plan 2013-2014 reflects the ambition to increase the participation of teen parents into EET.

The Teenage Pregnancy Team are working closely with partner agencies to increase the identification of teen mothers at risk of NEET and are increasing training opportunities for young parents at risk of NEET.

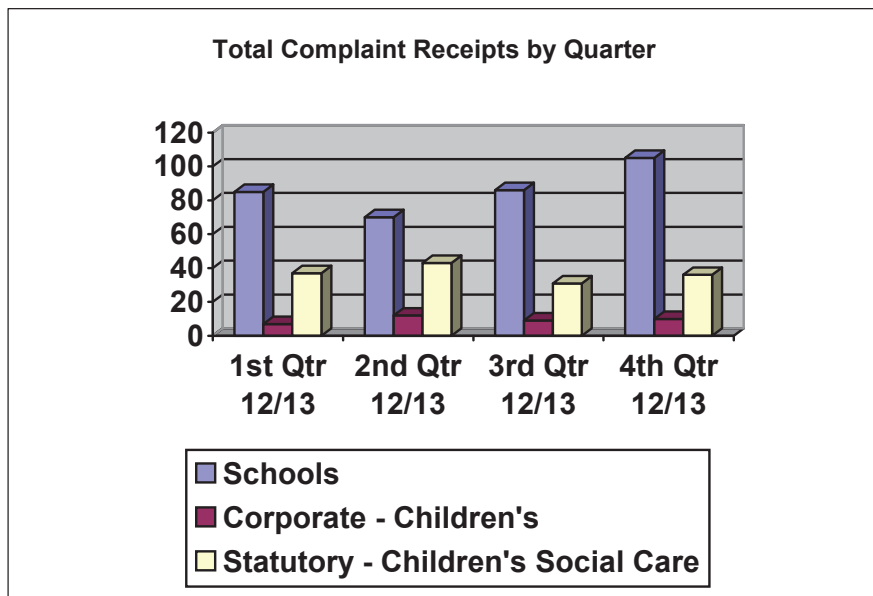


## Customer Satisfaction Information – Scrutiny Committees

<b>Children and Young People Scrutiny Committee</b>		
<b>Date Range for Report</b>	1 <sup>st</sup> January 2013 – 31 <sup>st</sup> March 2013(1 <sup>st</sup> October – 31 <sup>st</sup> December 2012)	
<b>Total number of complaints received across all LCC service area.</b>	302 (274)	
<b>Total number of complaints relating to <u>Children and Young People Scrutiny Committee</u></b>	151 (127)	
<b>Total number of compliments relating to <u>Children and Young People Scrutiny Committee</u></b>	3 (2)	
<b>Total Service Area Complaints</b>	Schools	105 (86)
	Corporate - Children's	10 (9)
	Statutory - Children's Social Care	36 (31)
	Youth Service	0 (1)
<b>Schools Complaint Reason Codes</b>	Admission issue	0 (1)
	Allegation against Head Teacher	7 (4)
	Allegation against other school staff	15 (12)
	Attendance Issues	9 (2)
	Bullying – Gender	0 (0)
	Bullying – Racial	0 (2)
	Bullying – SEN	4 (3)
	Bullying – Social Media	1 (0)
	Bullying Issue	20 (14)
	Class/School Organisation	15 (10)
	Equality Issue	1 (1)
	Exclusion Issue	1 (5)
	Inconsistency in application of rules	0 (0)
	Meals/Snacks/Drinks	0 (1)
	Medical	4 (2)
	Other	10 (9)
	Parental responsibilities/rights	2 (0)
	Procedural Irregularity	2 (5)
	Racial Issues	0 (1)
	School Neighbours	0 (0)
	School Uniform	2 (2)

	SEN	7 (6)
	Social Media Abuse	1 (0)
	Truancy Issues	0 (0)
	Unfair treatment by staff	4 (6)
<b>Corporate - Children's Complaint Reason Codes</b>	Age	0 (0)
	Breach of confidence	0 (1)
	Conduct/Attitude/Rudeness of staff	0 (1)
	Delayed Assessment of Service request	1 (0)
	Disability	0 (0)
	Disagree with policy	7 (1)
	Disagree with Procedure	1 (6)
	Insufficient Information Provided	0 (0)
	Other	0 (0)
	Procedure not Followed	0 (0)
	Procedural - Other	0 (0)
	Service Delay	1 (0)
<b>Statutory - Children's Social Care Complaint Reason Codes</b>	Conduct and attitude of staff	14 (20)
	Breach of confidentiality	1 (2)
	Delay in Receiving Service	0 (4)
	Disagree with Assessment	0 (0)
	Disagree with Decision	13 (1)
	Failed Home Care Visit	0 (0)
	Insufficient Service	2 (0)
	Lack of Communication	1 (2)
	Lack of Service	5 (0)
	Missed Call	0 (0)
	Other	0 (1)
	Procedure	0 (1)
	Quality of Service	0 (0)
	Racial discrimination	0 (0)
	Reduction in Service	0 (0)
	Refusal of Service	0 (0)
	Religious and cultural issues	0 (0)
	Standard of Care	0 (0)
	Undue Delay in Service Response	0 (0)
<b>Youth Service Complaint Reason Codes</b>	Procedural – Other	0 (1)
<b>Service Area Compliments</b>	Schools	0 (0)
	Corporate - Children's	0 (0)

	Statutory - Children's social Care	3 (2)
<b>How many LCC Corporate complaints have not been resolved within service standard</b>		3 (1)
<b>Number of complaints referred to Ombudsman</b>		7 (8)



## Summary

### LCC Overview of Complaints

The total number of LCC complaints received for this Quarter (Q4) shows a 4% decrease on the previous Quarter (Q3).

### Children's and young people's Services Overview of Complaints

This Quarter shows that Children's services received an increase of 24 complaints compare to the 127 complaints they received in Quarter 3, 67% of the Children and Young People's complaints received are for the Schools service area.

### School Complaints

Complaint receipts for Schools in Quarter 4 shows an increase of 22% compared to the previous Quarter.

Bullying complaints seem high for this Quarter. However, three were raised by different family members about the same child and subsequent involvement of school liaison officer and anti-bullying officer revealed a more complex family situation than the presenting bullying complaint suggested.

Complaints which concern Attendance are becoming more significant. This category was changed from 'Truancy' to 'Attendance' to reflect the broader range of issues. A number of complaints relate to actions taken by schools to address poor attendance; with some parents retaliating by then making complaints against schools. Six of the nine complaints concern academies.

#### Children's (Corporate) Complaints

Children's corporate complaint receipts have increased from 9 complaints in Quarter 3 to 10 complaints in Quarter 4.

There is no noticeable theme to Children's Corporate complaints this Quarter.

#### Children's Social Care (Statutory) Complaints

Complaint receipts in Quarter 4 for Children's Social Care have increased by 7 complaints compared to Quarter 3. Following the trend over the past four Quarters, 'Conduct and Attitude of staff' remains the highest reason for complaints.

#### Overall Children's and Young People Compliments

The overall compliments received for Children and Young People has slightly increased this Quarter with 3 compliments been received.

#### Children's (Corporate) Compliments

Received no compliments this Quarter.

#### Children's Social Care (Statutory) Compliments

receive 3 compliments this Quarter. The compliments were:

- LAC staff compliment - Pauline Prudom
- Information received regarding Learning Disabilities and employment
- CWD staff member compliment - Gemma Lane

#### School Compliments

Received no compliments this Quarter.

#### Ombudsman Complaints

In Quarter 4, 7 LCC complaints were registered with the Ombudsman. All 7 of these complaints were considered by the Ombudsman.

Further in-depth analysis, if required, is available by contacting the Quality and Performance team on 01522 782427 (ext 0427).

### Open Report on behalf of Debbie Barnes, Director of Children's Services

Report to:	<b>Children and Young People Scrutiny Committee</b>
Date:	<b>14 June 2013</b>
Subject:	<b>Corporate Parenting Panel Update</b>

#### **Summary:**

The work of the Corporate Parenting Panel remains critical in promoting life chances and opportunities for vulnerable children, looked after children and care leavers. Members act as champions on behalf of these groups of children and young people. The Panel meets on a quarterly basis and includes representatives from looked after children and foster carers.

Through the presentation of reports, performance information, and Visiting Members responsibilities, the Panel scrutinise that arrangements for the safety and welfare of looked after children and care leavers are in accordance with what every good parent would want for their own child.

It is agreed that the minutes of the Corporate Parenting Panel be presented to the Children and Young People Scrutiny Committee and the draft minutes of the meeting held on 4 April 2013 are attached.

#### **Actions Required:**

The Children and Young People Scrutiny Committee is asked to note the work of the Corporate Parenting Panel and to consider the matters raised and addressed.

### **1. Background**

The Panel meet quarterly and is continually evolving and is very proactive in seeking information to inform members about the quality of services provided by the local authority and partner agencies, as is evidenced in the recording of the minutes. Attached at Appendix B are the terms of reference for the Panel which sets out its role and remit in more detail.

### **2. Conclusion**

The on-going scrutiny process looking at how well we meet our respective responsibilities and the different aspects of a child and young person's needs is pivotal to the work of the Corporate Parenting Panel. The attached draft minutes

provide an account of the work undertaken since the previous Panel meeting held on 17 January 2013.

### **3. Consultation**

#### **a) Policy Proofing Actions Required**

n/a

### **4. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Corporate Parenting Panel Minutes 4 April 2013
Appendix B	Corporate Parenting Panel Terms of Reference

### **5. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Tara Jones, who can be contacted on 01522 552686 or [tara.jones@lincolnshire.gov.uk](mailto:tara.jones@lincolnshire.gov.uk) .

**PRESENT: COUNCILLOR H R JOHNSON (CHAIRMAN)**

Councillors Mrs C M H Farquharson, J D Hough and S F Williams

External Members:

Jean Burbidge (Lincolnshire Community Health Services), Polly Coombes (Foster Carer), Beth Tibbles-Hammond (Children in Care Council)

Officers/invited guests in attendance: Councillor D Brailsford (Executive Support Councillor for Children's Services and Lifelong Learning), Karen Bailey (Looked After Children's Education Services Manager), Dave Clarke (Unit Principal, Lincolnshire Secure Unit), Sheridan Dodsworth (Head of Service for Children with Disabilities), John Harris (Joint Head of Service for Regulated Services), Linda Harrison (Customer Relations & Complaints Manager), Colin Hopkirk (Participation Officer), Laura Hyatt (Regulation 33 Officer), Tracy Johnson (Scrutiny Officer), Kerry Mitchell (Leaving Care Manager, Barnardo's), Janice Spencer (Assistant Director Children's Services), Barbara Starns (Team Manager, Independent Chairs), Catherine Wilman (Democratic Services Officer)

48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J R Hicks, R A Shore and A P Williams, Samantha Edwards (Lincolnshire Partnership NHS Foundation Trust), Ted Normandale (National Youth Advocacy Service), Mrs M Graham-Williams (Foster Carer)

Apologies for absence were also received from Councillor Mrs P A Bradwell (Executive Councillor for Children's Services and Lifelong Learning)

The following officers also submitted their apologies: Theresa Buhryn (Performance Development and Reviewing Officer), Clive Chambers (Assistant Director Children's Services, Barnardo's Midlands Region), Tara Jones (Joint Head of Service for Regulated Services)

49. DECLARATIONS OF MEMBERS' INTEREST

No declarations of Members' interests were made at this stage of proceedings.

50. MINUTES OF THE MEETING HELD ON 17 JANUARY 2013

RESOLVED

That the minutes of the previous meeting held on 17 January 2013 be confirmed and signed by the Chairman as a correct record.

**CORPORATE PARENTING PANEL  
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51. VOICES FOR CHOICES (V4C) MINUTES (THE LOOKED AFTER CHILDREN COUNCIL) HELD ON 19 FEBRUARY 2013

Consideration was given to the minutes of the Voices for Choices (the Looked After Children Council) meeting held on 19 February 2013. It was reported there had been a number of new members on the Voices for Choices Executive since the last meeting.

Colin Hopkirk took the Panel through the minutes.

RESOLVED

That the minutes from the Voices for Choices Executive meeting held on 19 February 2013 be noted.

52. VOICES FOR CHOICES (V4C) HALF YEARLY REPORT TO CORPORATE PARENTING PANEL

The Panel considered V4C's half yearly report which had been prepared by Colin Hopkirk in consultation with Beth Tibbles-Hammond, the Chair of V4C.

During discussion of the report, the following points were noted:

- The Coming into Care Kit was in the process of being made into a web-based version with a steering group from V4C assisting in the process. Dan Hawbrook, E-Safety Officer was supporting the project;
- Executive members had been involved in designing and delivering a training session for Masters in Social Work students focussing on what children and young people needed from social workers. Recollections of the young people's experiences of separation and loss felt during their time in care had upset some of the students. Members enquired whether the training could be repeated for Panel members following the County Council elections;
- The FAB! Awards 2013 had seen the best turnout since the annual awards competition began, despite inclement weather;
- In answer to a question, it was reported that the new adoption legislation had strengthened the voice of the child in care, rather than diminishing it. The legislation aimed to recruit adopters more quickly;
- Three members from the Panel would be invited to the Big Conversation 5 event to be held in July. The Scrutiny Officer agreed to email the new Panel members about the Big Conversation 5 event after the County Council elections.

RESOLVED

That the Voices for Choices Half Yearly Report be noted.

53. VISITING MEMBERS LOG 2012-13 – QUARTERLY REPORT

Consideration was given to a report which detailed the visits to Lincolnshire children's homes from April 2012 to March 2013.



Issues were reported regarding an overgrown wooded area near the children's home at Albion Street, Spalding where people had been congregating to drink alcohol. Some children living at the home had reported being accosted by the drinkers and it was confirmed that cutting back the wooded area was a priority to be dealt with in April and a contractor had been identified. It was queried whether the incidents involving the children had been reported to the police. This would be followed up.

Some councillors on the Panel would not be standing in the forthcoming election and questions were raised regarding plans for transferring visiting duties to newly elected councillors. In response to this, it was confirmed that training would be provided to new visitors and DBS checks (formerly known as CRB) would have to be undertaken.

#### RESOLVED

That the Visiting Member's Log 2012-2013 – Quarterly Report and comments made be noted.

#### 54. LOOKED AFTER CHILDREN (LAC) HEALTH ASSESSMENT PROGRESS REPORT

Consideration was given to a report which provided progress information on looked after children's health assessments from 1 April – 30 September 2012.

The Panel discussed health related issues in relation to looked after children and the following points were noted:

- Looked after children placed in Lincolnshire by external Local Authorities received health assessments, the cost of which was claimed back from the parent authority. The reasons for these placements was thought to be due to low placement availability in other counties;
- Ensuring looked after children were up to date with immunisations in line with local and national programmes could be a challenge, especially with teenagers who could not be forced into having them and who were old enough to understand the reasons for vaccinations.

#### RESOLVED

That the Looked After Children Health Assessment Progress Report be noted.

#### 55. HALF YEARLY REPORT OF THE REGULATION 33 SERVICE – OCTOBER 2012 TO MARCH 2013

Consideration was given to a report which provided a summary on Regulation 33 visits during the period October 2012 to March 2013. During presentation of the report, the following was noted:

- Staff had been deployed to help with two young people who had issues with suicide or self-harm;
- Staff had been seconded between homes to help them see different ways of working;

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- 51 Eastgate was now fully staffed;
- Albion Street had been given approval for a seventh bed;
- There had been no health and safety issues;
- Peer reviews had been led by Jessica Spry and had used a method of recording the views of children at Strut House. The same method would be used in other homes.

RESOLVED

That the Regulation 33 Summary Report be noted.

56. QUARTER THREE REPORT ON THE FOSTERING SERVICE – OCTOBER TO DECEMBER 2012

The Panel considered a report which outlined the activity in the fostering service during Quarter three from October to December 2012. During discussion of the report, the following points were noted:

- Payments to foster carers varied to acknowledge difficult and challenging placements. Younger children were more challenging due to autism, foetal alcohol syndrome or behaviours picked up from home.
- The number of looked after children had increased since December 2012 and the figure may have increased again since this time;
- Stability of placements was an issue after two years.
- Financial pressures had meant that not as many volunteers were coming forward as foster carers;
- Following an active recruitment campaign for remand carers and six firm applications, only one person had been recruited so far. Unfulfilled requests were not a financial issue, but an issue of capacity. Looked after children needed alternative respite care whilst their foster carers were away. A review was being undertaken and the results of the implementation of any changes would be brought back to the July meeting.

RESOLVED

That the report be accepted as a record of the fostering service for October to December 2012.

57. ADOPTION SERVICE SIX MONTHLY REPORT

Consideration was given to a report which provided the Panel with an update of the work of the Adoption Service in accordance with the requirements of the Care Standards Act 2000, National Minimum Standards 2003, 2011 and the Adoption Act 2002.

Adoption scorecards were introduced as part of a new approach to address delays in the adoption system set out in An Action Plan for Adoption: Tackling Delay (published in March 2012). The Council's performance against the scorecard was good and significantly better than neighbouring authorities.

RESOLVED

That the report and comments made be noted.

58. OFSTED SERVICE REPORT – CHILDREN’S HOMES

At the last meeting of the Panel, a report had been requested to provide a summary and update on the recent OFSTED Reports for each of the Children’s Homes and Lincolnshire Secure Unit. The Panel considered the report and the following points were noted:

- Managers of the care homes met with the Dave Clarke (Unit Principal, Lincolnshire Secure Unit) on a regular basis and enabled good practice within the authority to be shared;
- All the homes had received ‘good’ or ‘outstanding’ overall ratings from Ofsted;
- Two children had been committed to mental health institutions during recent months and as a result, some good work had been undertaken with CAMHS (Child and Adolescent Mental Health Services) which had improved massively over recent years;
- The Chairman requested that special thanks from the Panel be sent to all the managers and staff at the homes.

RESOLVED

That the report and comments made be noted.

59. COMPLIMENTS, COMMENTS AND COMPLAINTS RECEIVED FOR LOOKED AFTER CHILDREN

Consideration was given to a report which provided the Panel with information on the compliments, comments and complaints received regarding looked after children for the period from 1 January 2012 to 31 December 2012. During discussion of the report, the following points were noted:

- In the period January to December 2012, 3 complaints had been received from young people in care. No compliments or comments had been received. It was reported that on receipt of complaints, Officers would attempt to resolve complaints before they were progressed on to further stages;
- Members felt it was a positive sign that complaints were being received as it meant that children and young people in care were aware of how to make a complaint and felt confident doing so;
- Investigators now had access to Legal Services for advice.

RESOLVED

That the report and comments made be noted.

60. CARE LEAVERS APPRENTICESHIP SCHEME

The Panel considered a report providing an update on the Care Leaver's Apprenticeship Scheme which had been running since 2007 and during that time had seen 57 starters. During discussion of the report, the following points were noted:

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- The scheme had been recognised by the JobCentre as good practice;
- A work preparation course had been run over the Christmas period in 2012 but had not had good attendance and had limited staff availability. The timing of this programme had now been changed to try and alleviate this;
- A section on going to work featured in the scheme which included details such as understanding payslips and workplace etiquette;
- There was currently no guidance on how to encourage young people in care to enrol on the scheme if they were resistant;
- An event with training providers had been organised for the end of May 2013 which would explain what the scheme provided for looked after young people.

RESOLVED

That the report be noted.

61. CORPORATE PARENTING PANEL WORK PROGRAMME 2013

A report by the Scrutiny Officer was considered, which invited the Corporate Parenting Panel to consider its work programme for the coming months.

The Panel was informed that the next meeting was scheduled to take place on 18 July 2013. It was suggested that at the July meeting it might be useful for the Panel to consider what its priorities would be for the next four years. It was also suggested that a training event to educate members on what children in care need could be held at the July or October meeting.

The Vice Chairman announced that he would not be standing in the coming County Council elections and as such thanked the Officers involved with the Panel for their dedication to children in care.

RESOLVED

That the work programme as presented be approved.

The meeting closed at 12.30 p.m.

## Governance Arrangements and Terms of Reference for Corporate Parenting Panel

### Governance Arrangements

#### Purpose

On behalf of all Councillors acting as corporate parents, the Corporate Parenting Panel's purpose is

- To secure councillor involvement and commitment throughout the Council to deliver better outcomes for children and young people in public care.
- To ensure that corporate parenting is a key mechanism by which councillors and officers can ensure that for children and young people in its care, Lincolnshire County Council is providing the following services:
  - Warm, welcoming and safe accommodation, a place they can call home and is home
  - High quality care, nurturing supportive and meaningful relationships that encourage the growth of self-esteem, confidence and resilience; enabling young people to cope with change and difficult times
  - The highest standard of education for all and consistent with the needs and abilities of the child
  - Opportunities and encouragement for self-development and keeping fit and healthy
  - Encouragement to take up hobbies, acquiring life skills and being a good citizen
  - Opportunities for the transition to work, including open days and work placements
  - Assistance with the transition from care to looking after themselves including the provision of suitable accommodation
  - Placement stability that will avoid disruption and maintain continuity of care, education placements and relationships
- To scrutinise the performance and quality of the Council's services, identify key areas across the services where councillors wish to see an improvement in the outcomes for children and young people in public care, and make proposals for improvement.

#### Membership

The Corporate Parenting Panel consists of elected councillors and additional members who may be children and young people, carers, lay members and nominations from partner organisations. The Membership of the Corporate Parenting Panel will consist of: -

- Seven Lincolnshire County Council elected members  
(4 Conservative, 1 Independent, 1 Labour, 1 Liberal Democrat)
- Six additional members who are not county councillors, which include
  - 1 Chairman of the V4C the Children in Care Council
  - 1 National Youth Advocacy Service representative
  - 1 Lincolnshire Community Health Services representative
  - 1 Lincolnshire Partnership NHS Foundation Trust representative
  - 2 Foster Carers

Up to six non-county council members can sit on the Corporate Parenting Panel at any one time. The Corporate Parenting Panel can co-opt, if required, an additional non-county council member from any relevant partner organisation, subject to the agreement of the Children and Young People Scrutiny Committee.

If further additional members are deemed necessary, the Corporate Parenting Panel must refer this request to the Children and Young People Scrutiny Committee for approval. A corresponding increase in the county councillor element of the membership would also be required so that the Corporate Parenting Panel retains its democratically-elected majority.

The Executive Councillor or the Executive Support Councillor for Children's Services and Adult Learning will be invited to attend each meeting of the Corporate Parenting Panel.

### **Chairman and Vice Chairman**

The Corporate Parenting Panel will elect a Chairman and Vice Chairman who will be one of the seven county council members of the Corporate Parenting Panel.

The Chairman and Vice Chairman will be elected at the first meeting of the Corporate Parenting Panel following the County Council's elections and will serve as Chairman and Vice Chairman for two years, subject to any resignations from post.

### **Quorum**

The quorum of the Corporate Parenting Panel will be four with at least one of the county council Corporate Parenting Panel members in attendance. Should less than four Members be in attendance the Chairman will adjourn the meeting.

### **Frequency of meetings**

The Corporate Parenting Panel will meet on a quarterly basis and as otherwise required.

### **Reporting**

The Corporate Parenting Panel will report its work through to the Lincolnshire County Council Children and Young People Scrutiny Committee.

Following each meeting of the Corporate Parenting Panel, a written report, including the minutes of the Corporate Parenting Panel meeting, will be presented to the next meeting of the Children and Young People Scrutiny Committee. This report should be presented by the Chairman or Vice Chairman of the Corporate Parenting Panel or another member if the Chairman or Vice Chairman is unavailable.

## **Terms of Reference**

### **The Corporate Parenting Panel is authorised to undertake the following activities:-**

1. Ensure that all councillors and Lincolnshire County Council Directorates are fulfilling their roles and responsibilities as corporate parents proactively. This will involve the Corporate Parenting Panel organising specific education and training events for all councillors to ensure they are equipped with the knowledge and skills to be corporate parents
2. Provide clear strategic and political direction in relation to corporate parenting
3. Investigate on behalf of all councillors ways in which the role of corporate parenting can be improved, using examples from other local authorities and countries
4. Ensure that councillors undertake their annual programme of visits to children's homes
5. Ensure that the needs of children and young people in public care and their carers are prioritised by councillors and officers
6. Receive quarterly reporting of key performance indicators relating to children and young people in public care
7. Receive regular and/or annual reports on the level and quality of services to children and young people in public care from the Children's Services Directorate, other Directorates and organisations
8. Monitor the performance, quality and outcomes of the Council's services in relation to children and young people in public care and identify any areas for improvement
9. Engage with children and young people who are in public care or have left care by inviting them to act as advisers to the Corporate Parenting Panel
10. Listen to the views of children, young people and their carers and to involve them in the assessment and development of services
11. Champion the provision of Council based work placements and Apprenticeships for looked after young people
12. Promote achievement and acknowledge the aspirations of children and young people in public care by supporting celebration events
13. Meet with Ofsted inspectors where appropriate for their input into inspections
14. Participate as members of the adoption and fostering panels
15. Agree a work plan, reviewing progress, membership of the Panel and attainment of its role and terms of reference
16. Report back formally on these matters in writing to the Children and Young People Scrutiny Committee after each meeting of the Corporate Parenting Panel.

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**Open Report on behalf of David O'Connor,  
Executive Director Performance and Governance**

Report to:	<b>Children and Young People Scrutiny Committee</b>
Date:	<b>14 June 2013</b>
Subject:	<b>Safeguarding Boards Scrutiny Sub Group – Introductory Item</b>

**Summary:**

This report invites the Children and Young People Scrutiny Committee to develop an understanding of the arrangements for enabling councillors on overview and scrutiny committees to review and scrutinise the safeguarding activities of the Lincolnshire Safeguarding Children Board, and the Strategic Safeguarding Adults and Dignity Board. These scrutiny functions are undertaken by a Safeguarding Boards Scrutiny Sub Group, which involve six members of the County Council, together with other representatives.

**Actions Required:**

1. To develop an understanding of the processes for scrutinising the activities of the Lincolnshire Safeguarding Children Board, and the Strategic Safeguarding Adults and Dignity Board.
2. To note and consider the draft minutes from the last meeting of the Safeguarding Boards Scrutiny Sub Group held on 14 March 2013.

## **1. Background**

### Introduction

Safeguarding adults and safeguarding children are key activities for the County Council. These services are delivered within Adult Care and Children's Services. In each case the relevant officers from the County Council participate in multi-agency boards, which include representatives from the NHS (commissioners and providers); and the Police, as well as other bodies. The two multi-agency boards are called: -

- the Lincolnshire Safeguarding Children Board; and
- the Strategic Safeguarding Adults and Dignity Board.

## Membership

A Safeguarding Boards Scrutiny Sub Group is established in order to scrutinise the activities of the Lincolnshire Safeguarding Children Board, and the Strategic Safeguarding Adults and Dignity Board. The Scrutiny Sub Group meets on a quarterly basis.

The Membership of the Scrutiny Sub-Group consists of: -

- Six Lincolnshire County Councillors
- Additional members who are not county councillors, which include
  - 1 District Council elected member
  - 1 Parent Governor
  - 1 Foster Carer

The Lincolnshire Police Authority was represented on the Sub Group until November 2012, when that body was abolished. The Police and Crime Commissioner has been approached for a representative on the Sub Group but is unable to nominate a representative at the present time.

A non-executive director of Lincolnshire Primary Care Trust also served on the Sub Group until 31 March 2013, when that organisation was abolished. A representative from one of the clinical commissioning groups in Lincolnshire has been sought but unfortunately they are unable to provide a representative at this time.

If the Police and Crime Commissioner and the clinical commissioning groups were to be represented, this would take overall membership of the Sub Group to eleven members.

## Chairman and Vice-Chairman

According to the approved arrangements, the Chairman of the Sub Group will be a member of either the Adults Scrutiny Committee or the Children and Young People Scrutiny Committee, with the Vice Chairman appointed from the other scrutiny committee.

## Role and Terms of Reference

The essential role of the Scrutiny Sub Group is to satisfy itself that the Lincolnshire Safeguarding Children Board, and the Strategic Safeguarding Adults and Dignity Board are both operating effectively, for example, in terms of multi-agency representation and participation; consideration of the key safeguarding issues; and the outcomes from each Board.

The terms of reference of the Sub Group are set out in Appendix A of this report.

## Reporting Arrangements

The Lincolnshire Safeguarding Boards Scrutiny Sub-Group reports to the Adults Scrutiny Committee and the Children and Young People Scrutiny Committee. Following each meeting of the Scrutiny Sub-Group, a written report, including the

minutes of the Scrutiny Sub-Group meeting, is presented to the next meeting of the Adults Scrutiny Committee and the Children and Young People Scrutiny Committee.

The draft minutes from the last meeting of the Scrutiny Sub Group on 14 March 2013 are attached at Appendix B. As the Sub-Group considers both adults' and children's safeguarding matters, the remit of the Children and Young People Scrutiny Committee is to focus on those aspects of the minutes that relate to children's safeguarding or matters of general safeguarding policy.

## **2. Conclusion**

The Committee is invited to develop an understanding of the processes for scrutinising the activities of the Lincolnshire Safeguarding Children Board, and the Strategic Safeguarding Adults and Dignity Board.

The Committee is also invited to note and consider the draft minutes from the last meeting of the Scrutiny Sub Group on 14 March 2013.

## **3. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Terms of Reference of Safeguarding Boards Scrutiny Sub Group
Appendix B	Draft Minutes from the meeting of the Safeguarding Boards Scrutiny Sub Group held on 14 March 2013

## **4. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Tracy Johnson, who can be contacted on 01522 552164 or [tracy.johnson@lincolnshire.gov.uk](mailto:tracy.johnson@lincolnshire.gov.uk).

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## **Terms of Reference of Safeguarding Boards Scrutiny Sub Group**

**The Scrutiny Sub-Group is authorised to undertake the following activities in relation to the Strategic Safeguarding Adults and Dignity Board:-**

1. Scrutinise the effectiveness of the Strategic Safeguarding Adults and Dignity Board's arrangements for ensuring agencies work in partnership to protect vulnerable adults from abuse.
2. Scrutinise the effectiveness of the Strategic Safeguarding Adults and Dignity Board's arrangements for ensuring agencies work together to promote the wellbeing and safety of vulnerable adults and to reduce the risk of abuse occurring.
3. Scrutinise the effectiveness of the Strategic Safeguarding Adults and Dignity Board's arrangements for ensuring agencies work together to promote a community involvement in safeguarding adults and promoting their welfare by raising awareness through publicity and training.
4. Scrutinise the effectiveness of the Strategic Safeguarding Adults and Dignity Board's arrangements for developing and reviewing policies and procedures.
5. Scrutinise the effectiveness of the Strategic Safeguarding Adults and Dignity Board's arrangements in undertaking reviews of cases where someone had died or has been seriously harmed in circumstances where abuse or neglect is known or suspected. Ensure systems monitor implementation of lessons learnt from reviews.
6. Scrutinise the effectiveness of the Strategic Safeguarding Adults and Dignity Board's arrangements in ensuring the workforce is trained to safeguard adults and improve safety.
7. Receive reports on matters of local and national relevance relating to the objectives of the Strategic Safeguarding Adults and Dignity Board.
8. To assist in the publication of materials which highlight issues relating to the wellbeing and safety of vulnerable adults.
9. To refer matters of concern back to the Strategic Safeguarding Adults and Dignity Board.
10. To report back formally on these matters in writing to the Adults Scrutiny Committee after each meeting of the Scrutiny Sub-Group.

**The Scrutiny Sub-Group is authorised to undertake the following activities in relation to the Lincolnshire Safeguarding Children Board:-**

1. Scrutinise the effectiveness of the Lincolnshire Safeguarding Children Board's arrangements for ensuring agencies work together to protect children from maltreatment and prevent impairment of children's health or development.

2. Scrutinise the effectiveness of the Safeguarding Children Board's arrangements for ensuring agencies work together to ensure that children grow up in circumstances consistent with the provision of safe effective care.
3. Scrutinise the effectiveness of the Safeguarding Children Board's arrangements for ensuring agencies work together to promote a community involvement in safeguarding children and promoting their welfare by raising awareness through publicity and training.
4. Scrutinise the effectiveness of the Safeguarding Children Board's arrangements for developing and reviewing policies and procedures.
5. Scrutinise the effectiveness of the Safeguarding Children Board in ensuring agencies have the safest possible practices in relation to the recruitment and selection of all those who work with children in a statutory and voluntary capacity.
6. Scrutinise the effectiveness of the Safeguarding Children Board in ensuring adult services recognise the impact of adult problems on children's welfare.
7. Scrutinise the effectiveness of the Safeguarding Children Board's arrangements in undertaking reviews of cases where a child had died or has been seriously harmed in circumstances where abuse or neglect is known or suspected. Ensure systems monitor implementation of lessons learnt from reviews.
8. Scrutinise the effectiveness of the Safeguarding Children Board's arrangements in ensuring the workforce is trained to safeguard children and improve safety.
9. Scrutinise the effectiveness of the Safeguarding Children Board in ensuring that the implementation of their Action Plan is on target.
10. Receive reports on matters of local and national relevance relating to the objectives of the Board.
11. To assist in the publication of materials which highlight issues relating to the protection and safety of children.
12. To refer matters of concern back to the Lincolnshire Safeguarding Children Board.
13. To report back formally on these matters in writing to the Children and Young People Scrutiny Committee after each meeting of the Scrutiny Sub-Group.



**LINCOLNSHIRE SAFEGUARDING BOARDS SCRUTINY SUB-GROUP**

**THURSDAY 14 MARCH 2013, COMMITTEE ROOM 3, COUNTY OFFICES,  
NEWLAND, LINCOLN**

**PRESENT: COUNCILLOR S F WILLIAMS (CHAIRMAN)**

Councillors Mrs C M H Farquharson, J D Hough and Mrs P A Mathers.

Councillor C R Oxby (Executive Support Councillor for Adult Social Care) also attended the meeting.

Officers in attendance: Mandy Cooke (Head of Safeguarding), Simon Evans (Scrutiny Officer), Cheryl Hall (Democratic Services Officer) and Tracy Johnson (Scrutiny Officer).

Also in attendance: Chris Cook (Independent Chair, Lincolnshire Safeguarding Children Board).

35. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor C Burke (District Councils Representative) and Mrs E Olivier-Townrow (Parent Governor Representative).

Apologies for absence were also received from Councillors Mrs P A Bradwell (Executive Councillor for Children's Services and Lifelong Learning) and G A Marsh (Executive Councillor for Adult Social Care).

Elaine Baylis (Independent Chair, Lincolnshire Strategic Safeguarding Adults and Dignity Board) also submitted her apologies for absence.

36. DECLARATIONS OF MEMBERS' INTERESTS

No interests were declared at this stage in the proceedings.

37. MINUTES OF THE LINCOLNSHIRE SAFEGUARDING BOARDS SCRUTINY  
SUB-GROUP 10 JANUARY 2013

**AGREED**

That the minutes of the meeting of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group held on 10 January 2013 be confirmed and signed by the Chairman as a correct record, subject to minor grammatical amendments being made to pages 3 and 4.

**LINCOLNSHIRE SAFEGUARDING CHILDREN BOARD BUSINESS****38. MINUTES OF THE LINCOLNSHIRE SAFEGUARDING CHILDREN BOARD  
STRATEGIC MANAGEMENT GROUP MEETING 31 JANUARY 2013**

Consideration was given to the minutes of the Lincolnshire Safeguarding Children Board Strategic Management Group meeting held on 31 January 2013.

It was queried when the Team Around the Child (TAC) Audit report would be released and it was noted that it was anticipated that it would soon be completed and once it had been released it would initially be considered by the Lincolnshire Safeguarding Children Board Strategic Management Group before being disseminated. Members were reassured that if the report highlighted any areas for improvement then they would be addressed.

It was noted that the Executive Director of Children's Services had agreed to discuss 'Team Around the Child' at the Headteacher Briefings and Members subsequently requested that they were updated on those discussions at a future meeting.

AGREED

That the minutes from the meeting of the Lincolnshire Safeguarding Children Board Strategic Management Group held on 31 January 2013 be noted.

**39. MINUTES OF THE LINCOLNSHIRE SAFEGUARDING CHILDREN BOARD  
OPERATIONAL DELIVERY GROUP MEETINGS HELD ON 20 DECEMBER  
2012 AND 24 JANUARY 2013**

Consideration was given to the minutes of the Lincolnshire Safeguarding Children Board Operational Delivery Group meetings held on 20 December 2012 and 24 January 2013.

Members received an update with regards to the work of the Drug and Alcohol Task and Finish Group. Further to this, Members reiterated the importance of publicising the symptoms of alcoholism and drug use. In response, the Scrutiny Sub-Group was advised that the Director of Public Health had contacted each of the Lincolnshire Clinical Commissioning Groups to ascertain how they each publicised certain information, including drugs and alcohol. It was suggested that the Scrutiny Officer should contact the Director of Public Health to gain information on what the Public Health Directorate's future plans were for drug and alcohol services.

It was noted that a representative from the Drug and Alcohol Action Team had been invited to sit on the Lincolnshire Safeguarding Children Board.

It was also noted that the Lincolnshire Safeguarding Children Board was currently considering whether to introduce its own Twitter account. Members were advised of the benefits of using a Twitter account, which included being able to communicate more effectively with children and young people as a large number used this social networking site.



AGREED

That the minutes from the meetings of the Lincolnshire Safeguarding Children Board Operational Delivery Group held on 20 December 2012 and 24 January 2013 be noted.

40. ESTABLISHMENT OF STRATEGIC PROTECTION GROUP – VERBAL UPDATE

The Scrutiny Sub-Group was advised that a Strategic Protection Group had been established, which had met in February 2013 for its first meeting. The Strategic Protection Group would initially be focusing on the issue of trafficking, which was linked to sexual exploitation.

It was noted that there was a new Police system being implemented, which monitored the movement of children and young people in and out of the county who were deemed at risk. It was queried whether the County Council could make use of this system.

It was also noted that the Independent Chair of the Lincolnshire Safeguarding Children Board had a meeting arranged with the Police and Crime Commissioner regarding the work of the Strategic Protection Group.

AGREED

That the update be noted.

**JOINT BUSINESS**

41. LINCOLNSHIRE SAFEGUARDING BOARDS SCRUTINY SUB-GROUP WORK PROGRAMME 2013

The Scrutiny Sub-Group considered its work programme for the coming months.

The Scrutiny Officer extended an invitation to Members of the Scrutiny Sub-Group to attend the following meetings:-

LSCB Operational Delivery Group on 21 March 2013;  
LSCB Strategic Management Group on 11 April 2013; and  
LSCB Operational Delivery Group on 16 May 2013.

The Scrutiny Officer agreed to liaise with Members after the meeting regarding attendance at the meetings on 21 March 2013, 11 April 2013 and 16 May 2013.

It was noted that future meeting dates for the Scrutiny Sub-Group would be arranged and circulated via email.

AGREED

(1) That the work programme be agreed.

(2) That the Scrutiny Officer be requested to liaise with Members regarding attendance at the above mentioned meetings.

**LINCOLNSHIRE SAFEGUARDING  
BOARDS SCRUTINY SUB-GROUP**

**LINCOLNSHIRE STRATEGIC SAFEGUARDING ADULTS AND DIGNITY BOARD  
BUSINESS**

42. MINUTES OF THE LINCOLNSHIRE SAFEGUARDING ADULTS AND  
DIGNITY BOARD MEETING HELD ON 6 MARCH 2013 – VERBAL UPDATE

The Scrutiny Sub-Group received a verbal update regarding the content of the Lincolnshire Safeguarding Adults and Dignity Board meeting, which was held on 6 March 2013.

It was noted that the Minutes of the meeting would be presented to the Scrutiny Sub-Group at its next scheduled meeting.

AGREED

That the verbal update be noted.

43. INTRODUCTION TO THE SOCIAL CARE INSTITUTE OF EXCELLENCE  
(SCIE) ADULT SAFEGUARDING FRAMEWORK

Consideration was given to a verbal update and presentation on the Introduction to the Social Care Institute of Excellence (SCIE) Adult Safeguarding Framework from the Head of Safeguarding.

Detailed information was provided as part of a presentation, which covered the following areas: -

- SCIE Adult Safeguarding Framework;
- SCIE Adult Safeguarding Framework – benefits;
- Key principles of adult safeguarding in May 2011;
- Areas that fall under the SCIE document; and
- SCIE Adult Safeguarding Framework – implementation.

Members were reassured that resources were available to implement the SCIE Adult Safeguarding Framework within Lincolnshire. An implementation plan and training plan would be devised and these would be brought to a future meeting of the Sub-Group. Members were also advised that it was hoped that it would also be implemented across the East Midlands.

It was noted that the 'Councillor Guide to Safeguarding' by the Local Government Association and the 'Association of Directors of Adult Social Services (ADASS) Advice Document' had both recently been published and would be circulated at the next scheduled meeting of the Scrutiny Sub-Group.

AGREED

(1) That the verbal update and presentation be received.

(2) That the 'Councillor Guide to Safeguarding' and 'Association of Directors of Adult Social Services Advice Document' publications be presented to the Scrutiny Sub-Group at its next scheduled meeting.

The meeting closed at 11.25 a.m.

**Open Report on behalf of Executive Director Performance and Governance**

Report to:	<b>Children and Young People Scrutiny Committee</b>
Date:	<b>14 June 2013</b>
Subject:	<b>Children and Young People Scrutiny Committee Work Programme 2013</b>

**Summary:**

This item enables the Children and Young People Scrutiny Committee to consider its own work programme for the coming year.

**Actions Required:**

- (1) To comment and agree on the content of the work programme, as set out in Appendix A to this report.
- (2) To consider and comment on the items from Children's Services listed on the Forward Plan, as set out in Appendix B to this report, and agree whether any item should be brought to the Committee for pre-decision scrutiny.

## 1. Background

At every meeting of the Committee, Members are invited to consider their future Work Programme and to agree on items to be included in the Work Programme.

Set out below are the definitions used to describe the types of scrutiny, relating to the items:

Budget Scrutiny - The Committee is scrutinising the previous year's budget, the current year's budget or proposals for the future year's budget.

Pre-Decision Scrutiny - The Committee is scrutinising a proposal, prior to a decision on the proposal by the Executive, the Executive Councillor or a senior officer.

Performance Scrutiny - The Committee is scrutinising periodic performance, issue specific performance or external inspection reports.

Policy Development - The Committee is involved in the development of policy, usually at an early stage, where a range of options are being considered.

Consultation - The Committee is responding to (or making arrangements to respond to) a consultation, either formally or informally. This includes pre-consultation engagement.

Status Report - The Committee is considering a topic for the first time where a specific issue has been raised or members wish to gain a greater understanding.

Update Report - The Committee is scrutinising an item following earlier consideration.

Scrutiny Review Activity - This includes discussion on possible scrutiny review items; finalising the scoping for the review; monitoring or interim reports; approval of the final report; and the response to the report.

## **2. Conclusion**

That consideration is given to the content of this report.

## **3. Consultation**

### **a) Policy Proofing Actions Required**

No policy proofing is required for this report.

## **4. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Children and Young People Scrutiny Committee Work Programme
Appendix B	Children's Services Forward Plan

## **5. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Tracy Johnson, who can be contacted on 01522 552164 or [Tracy.Johnson@lincolnshire.gov.uk](mailto:Tracy.Johnson@lincolnshire.gov.uk) .

**CHILDREN AND YOUNG PEOPLE SCRUTINY COMMITTEE**

Theme: “That every child, in every part of the county should achieve their potential”

Chairman: Councillor John Hough

Vice Chairman: Councillor Bob Adams

<b>14 June 2013</b>		
<b>Item</b>	<b>Contributor</b>	<b>Purpose</b>
Future Priorities for Children and Young People Scrutiny Committee	Cllr John Hough Chairman of Children and Young People Scrutiny Committee	Status Report
Introduction to Children's Services	Debbie Barnes Executive Director of Children's Services	Status Report
Theme Performance: Quarter 4 (to include further information on NI063 and fostering)	Debbie Barnes	Performance Scrutiny
Proposal to expand Kirton Primary School (Final decision)	Michelle Andrews Interim Head of Property and Technology Management	Pre-Decision Scrutiny (Executive Councillor Decision on 28 June 2013)
Proposal to expand Coningsby St Michael's Church of England Primary School (Final decision)	Michelle Andrews	Pre-Decision Scrutiny (Executive Councillor Decision on 28 June 2013)
Proposal for a new primary Academy in Bourne (submission to Secretary of State of results and evaluation of process to identify an operator)	Michelle Andrews	Pre-Decision Scrutiny (Executive Councillor Decision on 28 June 2013)
Corporate Parenting Panel Update	Janice Spencer Assistant Director	Update Report
Lincolnshire Safeguarding Boards Scrutiny Sub-Group Update	Tracy Johnson Scrutiny Officer	Update Report

<b>26 July 2013</b>		
<b>Item</b>	<b>Contributor</b>	<b>Purpose</b>
Related Proposals to Amend the Age Range and Expand the Capacity at Grantham The Isaac Newton Primary School (Final decision)	Michelle Andrews	Pre-Decision Scrutiny (Executive Councillor Decision on 9 August 2013)

<b>26 July 2013</b>		
<b>Item</b>	<b>Contributor</b>	<b>Purpose</b>
Proposal to revoke the decision taken in May 2012 to expand Spalding Primary School	Michelle Andrews	Pre-Decision Scrutiny (Executive Councillor Decision on 9 August 2013)
Proposal for a new primary Academy in Spalding (submission to Secretary of State of results and evaluation of process to identify an operator)	Michelle Andrews	Pre-Decision Scrutiny (Executive Councillor Decision on 9 August 2013)
Youth Housing Strategy	Meredith Teasdale Assistant Director	Consultation
Improving Access to Post-16 Learning Provision in Lincolnshire Action Plan – Second Monitoring Update	Keith Batty Assistant Director CfBT Education Services	Scrutiny Review Activity
Children’s Centres – Progress and Successes	Stuart Carlton Assistant Director	Update Report
“Always Someone Else’s Problem” - Office of the Children’s Commissioner’s Report on Illegal Exclusions	Gary Nixon Head of Additional Needs	Status Report

<b>6 September 2013</b>		
<b>Item</b>	<b>Contributor</b>	<b>Purpose</b>
Theme Performance: Quarter 1	Debbie Barnes	Performance Scrutiny
Strategic Priorities for 16 – 19 (25) education and training for 2014/15	Keith Batty	Pre-Decision Scrutiny (Executive Decision on 1 October)
Post 16 Attainment and Narrowing the Gap (including vulnerable learners)	Keith Batty	Status Report
Lincolnshire Safeguarding Boards Scrutiny Sub-Group Update	Chairman / Vice-Chairman of Scrutiny Sub-Group	Update Report
Corporate Parenting Panel Update	Chairman / Vice-Chairman of Panel	Update Report

<b>18 October 2013</b>		
<b>Item</b>	<b>Contributor</b>	<b>Purpose</b>
School Admissions and Exclusions in Lincolnshire Action Plan – First Monitoring Update	Meredith Teasdale	Scrutiny Review Activity

<b>29 November 2013</b>		
<b>Item</b>	<b>Contributor</b>	<b>Purpose</b>
Theme Performance: Quarter 2	Debbie Barnes	Performance Scrutiny
Curriculum and Apprenticeships	Keith Batty	Status Report
Lincolnshire Safeguarding Boards Scrutiny Sub-Group Update	Chairman / Vice-Chairman of Scrutiny Sub-Group	Update Report
Corporate Parenting Panel Update	Chairman / Vice-Chairman of Panel	Update Report

### **Items to be Scheduled**

- Schools Sixth Forms
- Raising the Participation Age - Update
- Youth and Community Development Worker Model within Locality Teams - Update
- Families Working Together Update (March 2014)
- Child and Adolescent Mental Health Services (CAMHS) – Tier 2 Update
- Community Access to School Facilities – Interim report
- Child Poverty Strategy Update
- Careers Education, Information, Advice and Guidance (CEIAG) Update
- Early Intervention Strategy
- Individual Education Plans
- Use of Pupil Premium within schools / Account for the devolving of Special Education Needs funding
- Review of key policies relating to Children’s Services
- Home to School Transport for 16-18 Year Olds
- Strategies for Recruiting Qualified and Experienced Social Workers
- Review of Absenteeism
- Early Education Offers
- Employment Offers for Young People with Disabilities

### **Theme Outcomes**

The Children and Young People Scrutiny Committee is aligned to the five principles set out in the Children and Young People’s Plan 2012-2015:

- 1. Early Intervention and Prevention**
  - Strong universal services, providing early action and intensive support to vulnerable children and young people.
- 2. Safeguarding and Best Start in Life**
  - Ensuring children are safe in every environment.
  - Encouraging community responsibility for safeguarding.

**3. Aspiration and Well Being**

- Ensuring all those working with children champion the importance of aspiration.
- Develop self-esteem, self-belief and resilience in all children, young people and their families.

**4. Learning and Achievement**

- All children being the best that they can be.
- Closing the gap between vulnerable groups and children living in disadvantaged communities.

**5. Best Use of Resources**

- Integrating delivery with a focus on outcomes, life chances and opportunities.
- Effective use of resources to provide better services locally.
- Empower communities, creating opportunities for them to engage.

For more information about the work of this Committee please contact Tracy Johnson, Scrutiny Officer, on 01522 552164 or by e-mail at [tracy.johnson@lincolnshire.gov.uk](mailto:tracy.johnson@lincolnshire.gov.uk)



APPENDIX B

LINCOLNSHIRE COUNTY COUNCIL – FORWARD PLAN OF DECISIONS RELATING TO CHILDREN’S SERVICES FROM 31 MAY 2013

DEC REF	MATTERS FOR DECISION	DATE OF DECISION	DECISION MAKER	PEOPLE/GROUPS CONSULTED PRIOR TO DECISION	DOCUMENTS TO BE SUBMITTED FOR DECISION	HOW TO COMMENT ON THE DECISION BEFORE IT IS MADE AND THE DATE BY WHICH COMMENTS MUST BE RECEIVED	RESPONSIBLE PORTFOLIO HOLDER AND CHIEF OFFICER	KEY DECISION YES/NO	DIVISIONS AFFECTED
1004689	Proposal to expand Kirton Primary School (final decision)	28 June 2013	Executive Councillor: Adult Care and Health Services, Children's Services	Interested parties as DfE guidance including parents, school staff, neighbouring schools, County District and Parish Councils, MP's, Trade Unions and Diocese	Report	Interim Head of Property and Technology Management e-mail: michelle.andrews@lincolnshire.gov.uk Tel: (01522) 553269	Executive Councillor: Adult Care and Health Services, Children's Services and Executive Director of Children's Services	Yes	Boston Coastal; Boston East; Boston Fishoft; Boston North West; Boston Rural; Boston South; Boston
1004690	Proposal to expand Coningsby St Michael's Church of England Primary School (final decision)	28 June 2013	Executive Councillor: Adult Care and Health Services, Children's Services	Interested parties as DfE guidance including parents, school staff, neighbouring schools, County District and parish Councils, MP's, Trade Unions and Diocese	Report	Interim Head of Property and Technology Management e-mail: michelle.andrews@lincolnshire.gov.uk Tel: 01522 553269	Executive Councillor: Adult Care and Health Services, Children's Services and Executive Director of Children's Services	Yes	Billinghay and Metheringham; Boston North West; Tattershall Castle; Woodhall Spa and Wragby
1004691	Proposal for a new primary Academy in Bourne (submission to the Secretary of State of results and evaluation of process to identify an operator) Open Executive Councillor - Children's Services and Lifelong Learning	28 June 2013	Executive Councillor: Adult Care and Health Services, Children's Services	All Headteachers and Chairs of Governors of all Lincolnshire Schools and Academies; RC and CofE Dioceses; County, District and Town Councils. Details were also made available to potential interested parties via the DfE, Independent Academies Association and the New Schools Network websites as well as the LCC website	Report	Executive Director of Children's Services e-mail: debbie.barnes@lincolnshire.gov.uk Tel: 01522 553200	Executive Councillor: Adult Care and Health Services, Children's Services and Executive Director of Children's Services	Yes	Bourne Abbey; Bourne Castle

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1004696	Proposal to amend the age range and expand capacity at The Isaac Newton Primary School, Grantham (Final Decision)	9 August 2013	Executive Councillor: Adult Care and Health Services, Children's Services	Interested parties as DfE guidance including parents, school staff, neighbouring schools, County District and Parish Councils, MP's, Trade Unions and Diocese	Report	Interim Head of Property and Technology Management e-mail: michelle.andrews@lincolnshire.gov.uk Tel: 01522 553269	Executive Councillor: Adult Care and Health Services, Children's Services and Executive Director of Children's Services	Yes	Grantham Barrowby; Grantham East; Grantham North; Grantham North West; Grantham South
1004733	Proposal for a new primary Academy in Spalding (submission to Secretary of State of results and evaluation of process to identify an operator)	9 August 2013	Executive Councillor: Adult Care and Health Services, Children's Services	All Headteachers and Chairs of Governors of all Lincolnshire schools and Academies; RC and CofE Dioceses; County, District and Town Councils. Details were also made available to potential interested parties via the DfE, Independent Academies Association and the New Schools Network websites as well as the LCC website	Report	Interim Head of Property and Technology Management Tel: 01522 553269 e-mail: michelle.andrews@lincolnshire.gov.uk	Executive Councillor: Adult Care and Health Services, Children's Services and Executive Director of Children's Services	Yes	Spalding East and Moulton; Spalding Elloe; Spalding South; Spalding West
1004777 New!	Proposal to revoke the decision to expand Spalding Primary School	9 August 2013	Executive Councillor: Adult Care and Health Services, Children's Services		Report	Interim Head of Property and Technology Management Tel: 01522 55553269 e-mail: michelle.andrews@lincolnshire.gov.uk	Executive Councillor: Adult Care and Health Services, Children's Services and Executive Director of Children's Services	Yes	Spalding East and Moulton; Spalding Elloe; Spalding South; Spalding West

 Indicates amendment to existing item