

**Meeting:** Executive  
**Date:** 5 February 2103  
**Subject:** Outcome of consultation on Policy Principles for Pupil Place Planning in Schools.

**RECOMMENDATIONS FROM THE MAIN REPORT:**

The Executive is asked to:

- 1. Consider the responses to the consultation of the proposed Policy Principles for Pupil Place Planning in Schools, as set out in this Appendix, and;**
- 2. Approve the Policy Principles for Pupil Place Planning in Schools, as set out in this Appendix, as the basis for the future development of commissioning options for New School Places in Central Bedfordshire.**

*Reason for Recommendations:* So that the Council can meet its statutory obligations for ensuring sufficient school places in Central Bedfordshire and apply a set of clear policy principles to its commissioning processes.

**Executive Summary**

1. On the 4 December 2012 the Council's Executive considered a report that set out the legal framework and constraints that Local Authorities as Strategic Commissioners of New School Places must comply with.
2. It also reflected the National policy context in place at the time of writing and outlined nine proposed key principles which it subsequently approved to be the subject of consultation, which it considers are critical in considering school organisation proposals and in achieving the Council's Education Vision and key strategic priorities. These local policy principles will help to guide the development of commissioning options for new school places.
3. The consultation exercise was undertaken from 4 December 2012 through to the Children's Services Overview and Scrutiny on 15 January 2013 and a summary of the main issues arising are set out in this report.

The final version of the Policy Principles is set out in this report and these are now recommended to the Council's Executive for approval. If adopted, they will be applied and will be the basis for evaluation of all future commissions for new school places, each of which will be the subject of subsequent reports to Executive as and when decisions are required.

## Consultation

4. Consultation on the proposed policy principles has been undertaken between the 4 December 2012 and the 15 January 2013 with the support of the Executive Member for Childrens Services, with the following:

The Council's Children's Services Overview and Scrutiny Committee  
Church of England and Roman Catholic Dioceses  
Headteachers and Partners Reference Group  
All Headteachers  
Chairs of Governing Bodies  
The Standing Advisory Council on Religious Education  
Neighbouring Councils  
Town and Parish Councils  
Website consultation with other stakeholders

5. The consultation sought respondents views on each principle as set out in the Executive report, and also provided an opportunity to raise any specific issues on each of the proposed principles.
6. The consultation received 36 responses with strong support for most of the Principles but more of a mixed response for Principles 3,5,8 and 9. Fifteen of these responses were received from parents and carers of children, eighteen responses were received from School staff and Governors, one was received from a Town Council and another from an Education Consultant working on behalf of developers in Central Bedfordshire. The Diocese of St Albans also submitted a response.
7. General comments made to the proposed principles included queries of the extent to which they would be used to target proactive strategies for changing the pattern of provision from three to two tier education, or to close small schools. Neither of these are policies of the Council although School and Academy led proposals for organisational change, the impact of school funding reform and demographic change are all factors that have the potential to impact on the pattern of provision in an area and on the viability of some schools.
8. The intended purpose of the Principles was set out in the report to the Council's Executive dated the 4 December 2012 and was clear that if approved, they would form the basis for the development of commissioning options for New School Places in Central Bedfordshire. This assists the commissioning role of the Council in meeting its legal duties to secure sufficient and suitable school places to provide for 5 – 16 year old statutory aged children in its area.
9. The Principles will therefore be applied not only to proposals for new school places required as a result of demographic growth but also to assist in the evaluation of proposals that relate to changes in school organisation where the Council is decision maker, where these proposals also have an impact on the supply of places. Examples could include a proposal by a Council maintained school to change age range and enlarge its capacity, or the need for the Council to consider options for a school with a falling roll that threatens its viability.

10. The main concerns arising from the consultation referred to:

Principle 3 - The ability to support the expansion of local popular and successful schools or to link expanding schools with popular and successful schools.

Principle 5 – The ambition to achieve a single phase of education 0 -19 and reduce school transfer points

Principle 8 – To promote the diversity of provision offered in Central Bedfordshire to increase opportunities for parental choice

Principle 9 - To support vulnerable learners in Area Special Schools and integrate appropriate Special Educational Needs provision within mainstream schools

11. In relation to Principle 3, respondents were concerned that allowing successful schools to get bigger could also introduce diseconomies of scale and dilution of quality of teaching as a result.

This was reflected in the drafting of Principle 2 which provides guidance on the 'optimum' size of any school and the organisational opportunities for mitigating any adverse impacts associated with larger schools. Principle 3 itself is clear that schools or Academies that are subject of planned expansions would be required to prepare a business case to guarantee the quality of the places being added into the system, based on the school's vision and educational plan.

12. In relation to Principle 5, respondents were concerned to ensure that small local primary schools are retained in order that young children have the opportunity to become established as part of the local community before being transferred to larger education establishments, usually outside their immediate local community.

The intention of this Principle is to promote collaboration between schools and across phases to improve transition and also to design out transfer points in planning new provision. Principle 1 also supports the concept of local provision for local children and small primary or lower schools can be federated or run as part of a wider Trust to improve financial and educational viability.

13. In relation to Principle 8, a number of respondents were concerned with the principle of faith based school provision, although the aim of the principle itself is more broad and aims to promote the diversity of all provision offered in Central Bedfordshire to increase opportunities for parental choice.

This reflects the Council's legal duty as commissioners of school places to promote parental choice, diversity, high standards, the fulfilment of every child's educational potential and fair access to educational opportunity.

Public authorities also have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and to foster good relations in respect of the following protected characteristics: age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

14. In relation to Principle 9, a concern was raised that in planning for new school places required as a result of demographic growth provision for Special Schools/Academies must not be overlooked. Inclusion in mainstream settings for pupils with SEN is not always appropriate for some children.

The draft Principle has been amended to emphasise the Council's continued support for the area special school model and planning for required increases in specialist provision will be reflected in the Council's School Organisation Plan and New School Programmes.

15. The following sections set out the final Policy Principles for Pupil Place Planning in schools in Central Bedfordshire.

**Principle 1** - The need to provide local schools for local children, ensuring a sense of community belonging and also promoting sustainable modes of travel.

16. Section 76 of the Education and Inspections Act 2006 places a duty on local education authorities to promote the use of sustainable modes of travel to meet the school travel needs of their area. Ensuring the sufficiency of provision local to the areas of demographic demand supports this duty by reducing the need for car journeys and also limits potential growth in the cost of providing school transport on distance criteria to qualifying pupils to meet the Council's statutory responsibilities.
17. Section 38 of the Education and Inspections Act 2006 also places a duty on governing bodies of maintained schools in England to promote community cohesion. Promoting local schools enables children living in the same local community to attend the same school fostering a coherent community identity and enabling community ownership to build around a range of extracurricular activities.

**Principle 2** - The need to create schools that are of sufficient size to be financially and educationally viable

18. There are three sources of evidence that it is important to consider when determining the optimum size of a school. These relate to (i) international evidence on the effect of school size on pupil outcome measures, (ii) the minimum size needed to provide a rich curriculum offer and (iii) the effect of school size on leadership.
19. (i) The optimal school roll in terms of pupil outcomes is around 900 in a non deprived area. (This is based on all ages not only secondary or upper, but excludes Post 16 provision). This number can increase in areas of greater affluence and might drop to around 800 in areas of hardship and deprivation (in global terms).

20. (ii) In terms of supporting a broad curriculum offer, six forms of entry would be what most research and professional bodies consider to be the minimum year group size to support the kind of offer to meet the range of needs typical in a Central Bedfordshire context. It is acknowledged that research has taken place on provision that is historic and that there has been a considerable shift in the nature and offer of different types of schools in recent years.
21. (iii) The larger the school the more a governing body can pay a Headteacher according to scales that reflect pupil numbers . This may have an impact on the calibre of leader available to schools. The larger the school the more options an experienced leader has available in shaping an excellent school to meet the needs of students. Research shows that secondary schools tend to reach their peak performance when a headteacher has been leading the school for around 6 or 7 years and furthermore, a headteacher with experience of leading more than one school is generally held to be likely to be successful in a second or third school. Schools therefore need to be big enough to attract and retain experienced Headteachers for these periods if they are to be well placed to perform optimally.
22. Establishing or expanding schools of an appropriate size therefore is likely to contribute towards the likelihood of their success.
23. Comments on school size relate to single schools that occupy a single site. The minimum or maximum size of a school may be outside of the range of capacities implicit in these proposals if it is part of a non traditional governance and leadership structure as is the case in multi site schools, school trusts, federations, academy chains and multi academy trusts where a broad curricular offer, for example, may be achieved as a result of the collaborative arrangements.

## **Lower and Primary Schools**

### ***Minimum Size***

24. Small rural schools have nationally shown themselves capable of delivering the National Curriculum and of providing a high standard of education. In determining a minimum school size, it is however not simply issues of quality that need to be considered but also but also organisational, social and community issues.
25. For example, where small numbers are nationally judged to operate against successful school management is where there are too few children to form at least one class for each key stage. Under present funding arrangements, this puts particular pressure on teachers and forthcoming changes to the local funding formula, as a result of national school funding reform, will increase the pressure to operate more efficiently. Therefore schools at or below the minimum size outlined below must consider options for federating, merging or joining an academy chain.
26. As a minimum, it is preferable that there should be one class for each of Key Stage 1 and Key Stage 2, plus discrete part-time provision for children under five. In this way, there are no more than two year groups in each class. In total this equates to 2.5 classes. With a class size of 25-30 this means a minimum school size of 60-75 pupils for a Lower School.

27. For a Primary School also with years 5 and 6 in Key Stage 2 this equates to 3.5 classes. With a class size of 25-30 this means a minimum school size of 85 -105 pupils.
28. If three age groups need to be taught together school organisation becomes much more difficult, however there are some known mitigating factors. There are also organisational difficulties if the headteacher is the only full-time teacher. If the Headteacher is absent or leaves there may be no one left to manage where the other member of staff has no aspirations to lead or is not employed full-time.
29. Problems in delivering and monitoring standards in very small schools can occur. There may also be difficulties in recruiting enough able governors from such a small constituency of parents and supporters of the school. Finally, very small year groups may not provide sufficient peers of the same age for children to mix with although there may be some benefits of vertical grouping where younger children can learn from older peers.

### ***Maximum Size***

30. Ideally lower schools should have 2 forms of entry (i.e. two classes per year group), leading to a school size of 300. For Primary Schools this leads to a school size of 420. This gives headteachers a balance of some teaching, as well as time to manage and monitor, with the ability to employ appropriate non-teaching support in the school.
31. Above 3 forms of entry (450 pupils for lowers, 630 pupils for Primary Schools) it becomes increasingly difficult to maintain consistency, coherence and a 'whole school' ethos appropriate to pupils of this school age. The Council acting as the Local Authority consider it preferable to promote the expansion and creation of new lower/primary school provision at or above 3 forms of entry only in exceptional circumstances.
32. The larger the school, the more likely it is that the Headteacher and senior staff will spend most of their time managing resources rather than on education. If this time is spent on key issues known to promote school improvement in driving the ethos of the school towards raising attainment by a focus on pupil level data management, engagement with the teaching and learning process etc. their offer outside that of classroom input can accelerate school improvement and outcomes.

### **Middle Schools**

#### ***Minimum Size***

33. All middle schools are considered to need to have sufficient staff expertise to cover the curriculum and the teaching of basic skills at both Key Stages 2 and 3. The budget must also be sufficient to support the curriculum and an appropriate management structure.
34. It is proposed that as a minimum, a middle school should have 4 forms of entry (480 pupils in all) in order to deliver the National Curriculum. Below this figure the ability of a middle school to retain sufficient staff with the appropriate range of expertise comes under question.

35. 3 forms of entry (360 pupils) can be manageable in certain circumstances where there is an appropriate range of staff expertise, but below this number the costs of supporting even a minimum staff complement become disproportionate.

***Maximum Size***

36. Ideally middle schools should have 6 forms of entry (720 pupils). Beyond 7 forms of entry (840 pupils) it can be argued that the school becomes increasingly difficult to manage and to maintain an appropriate middle school ethos, and it may be more impersonal, particularly for the younger children.
37. Large middle schools face similar management challenges to any large school but community and parent views of the provision of a large middle school which pupils attend from age 9 are likely to be less positive than is the case for Upper schools where pupils start school at 13. Schools which were originally designed for a smaller number of pupils may lack specialist accommodation, both teaching and non-teaching, possess inadequate library facilities and study space, and may have social areas that are not capable of meeting staff or student needs and have congestion in corridors.

**Upper and Secondary Schools**

***Minimum Size***

38. For an upper or secondary school there need to be enough pupils in each year group to support the full range of the curriculum and generate a viable sixth form. Notwithstanding the potential for governance and leadership models outlined above, this suggests a proposed total minimum school size of around 900+ pupils for a single school. For schools engaged in collaborative and partnership arrangements this figure may be reduced to a minimum of 720 pupils where the schools in the federation or trust can demonstrate that a good, coherent educational offer is provided as a result of their sustainable collaborative arrangements. It should be noted that the Audit Commission takes the view that a sixth form of fewer than 160 students constitutes a small sixth form, with associated questions over viability.

***Maximum Size***

39. This is difficult to determine on curricular or organisational grounds. Larger schools have economies of scale which make for more flexible curricula and more specialist staffing but encounter organisational difficulties in accommodating large year groups.
40. In schools which were originally designed for a smaller number, there may also be a lack of specialist accommodation, both teaching and non-teaching, inadequate library and study space, social areas incapable of meeting staff and student needs and congestion in corridors.

41. A commonly held historical belief in historical principles nationally for education provision is that once numbers rise above 1500 including sixth form, the disadvantages of size may start to outweigh the benefits of economies of scale, however there are now known to be many larger schools nationally that provide a high quality of education and generally have the benefits of larger sixth forms and have overcome the potential disadvantages of large schools through internal organisation ie schools within schools and the house system. These schools, if successful have been invited to provide the cornerstone of some large Academy chains , particularly in the London area

**Principle 3** - The ability to support the expansion of local popular and successful schools or to link expanding schools with popular and successful schools

42. The Council is unlikely to support the expansion of an existing school or Academy unless it is at least rated as good and preferably outstanding by Ofsted or is in a Trust or Multi Academy Trust that includes good and outstanding schools that have the capacity to support the expanded school in terms of standards and quality in order that it can become outstanding itself.
43. The Council is committed to ensure that every parent can choose an excellent school for their child and that new places should therefore be allocated where parents want them. The Council will therefore seek to support the expansion of oversubscribed schools and Academies.
44. In every case the Council will require a business case to be provided by the school or Academy that is subject to the expansion proposal to guarantee the quality of the places being added into the system, based on the school's vision and educational plan. In addition to its Ofsted rating, the business case will also require the school to outline its performance in terms of results and improvement over time in key stage assessments, in terms of value added and in comparison with other schools in similar circumstances. The business case will require the school to establish its improvement targets and will be judged by evaluation criteria.
45. Where the school or Academy that is subject to an expansion proposal is also intended to procure and deliver the capital project with the support of the Council, the business case will require assurances of the capability and capacity of the school to deliver the proposal to time and on budget, based on their expertise and experience.
46. Where new schools are to be established and proposals are received in response to the Council's invitation, an initial assessment will be undertaken of each proposal against the criteria set out above to ensure that proposers with track records in successful and popular provision are also promoted to the DfE. The proposers' abilities to prove value for money in delivering the new provision within the financial envelope available will also be assessed in these circumstances.



**Principle 4** - The potential to further promote and support robust partnerships and learning communities

47. The education 'offer' can be significantly enhanced from schools that collaborate effectively when compared with those that do not and the capacity for those schools to self improve and to recruit, train and develop their own staff and leaders is enhanced by well designed school to school support systems.
48. The Council has strongly supported such approaches including its joint work with the Central Bedfordshire Teaching School Partnership (CBTSP) designed to help both the council and the CBTSP discharge their statutory duties in relation to school improvement and in relation to teacher education, qualification, induction and development and to leadership development and succession planning and also in relation to identification and transfer of successful practice. The growing success of this partnership is also evident in the successful joint bid for an alternative provision Free School aimed at eliminating permanent exclusions and increasing the pathways from education to employment.
49. The Council is developing a strategy of school community engagement in order to facilitate parental and school-led system development and as funding reforms are rolled out, so affecting the viability of some school budgets, this policy will continue in order to ensure small school settings serving rural communities can reconfigure the way they are run in order to continue to provide education close to home .

**Principle 5** - The ambition to achieve a single phase of education 0 -19 and reduce school transfer points

50. There is evidence that learning can be lost at points of transfer between schools and also transition within schools from one phase or key stage to another. There are two ways in which this can be adressed
51. The first is to design systems that limit the number of points at which a child transfers from one school to another. The second is to promote collaboration amongst schools through which a cohort of children will pass, on such issues as continuity of pedagogy, curriculum, expectations, progress, behaviour and ethos.
52. A federation or trust with close agreement between its constituent schools and with the knowledge of the community it serves could mitigate some of these effects. Reducing transfer and transition or the effects of transfer and transition is therefore suggested that this is a consideration that should be evaluated in the context of school place planning.
53. The Council will continue to develop integrated early years provision in a variety of settings, wrapping childcare around nursery education provision to ensure that all parents that require it have access to an extended and flexible early years offer so that they can access training or work.
54. Where new early years provision is needed as a result of demographic growth or changes in entitlement, and is forecast to be required in a similar timeframe and location as proposed new lower or primary places, the Council will seek to develop both new provisions on the school site and under its leadership.

**Principle 6** - The need to support the Raising of the Participation Age (RPA)

55. Coalition Government policy is to ensure that all young people are in either education, training or work related education / training full time up to the age of 18 by September 2015. The Council will therefore need to consider the way in which proposals for new or expanded schools and Academies will support it in meeting this raised participation age and support educational establishments and employers in delivering this.
56. The Council will also support the maintenance of a diverse range of post-16 provision, enabling students to choose between remaining at upper school, transferring to an FE college or taking advantage of vocational routes of study. The Council will continue to support and strengthen the 14-19 strategic partnership subgroup of the Children's Trust so that it can work together to improve outcomes and it will support providers to access post 16 funding from the Education Funding Agency.

**Principle 7** – To seek opportunities to create inspirational learning environments for the school and to maximise community use

57. The Council will adopt a high standard of design and community engagement as part of its evaluation of the proposals for major new and expanding school provision in Central Bedfordshire. This will define the basis for calculation of planning obligations that will be required from housing developers where additional infrastructure is required.
58. The briefing of projects to expand existing provision will include an assessment of the suitability of the premises to ensure pre existing deficiencies in provision can be considered in order to provide premises that are fit for purpose for the increased capacity of the school.
59. The Council will support opportunities to pool funding from other sources in any planned expanded or new provision and it will seek guarantees for sustainable, enhanced community use of the school's facilities where capital investment is being committed.

**Principle 8** – To promote the diversity of provision offered in Central Bedfordshire to increase opportunities for parental choice

60. Central Bedfordshire has a comprehensive system of education providing educational opportunities for all its pupils and the Council recognises, supports and encourages the need for a diverse range and ethos within the schools in the area to provide opportunities for parental choice.
61. The Central Bedfordshire geographical area comprises only co-educational schools and the majority of schools are based on a three tier system of education although schools are encouraged to consider alternative models of leadership, governance and school organisation to achieve the Council's overarching aim of raising standards.

62. The Council's aim is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and may act as a centre of excellence in particular areas or offer specialist provision in order to meet the aspirations of parents, help raise local standards and narrow attainment gaps.
63. While a good supply of non denominational provision is essential, parents have a right to select a denominational education for their children if they wish. Within Central Bedfordshire, there are Church of England lower, middle and upper schools although Roman Catholic provision is only represented at lower and primary school. No other faiths are currently provided for in Central Bedfordshire.
64. Some faith based provision is below national rates of representation in some phases in Central Bedfordshire. Where there is a need for new school places and there is unmet parental demand for particular faith provision, the Council will consider supporting an increase in such provision where it will bring the area closer to national averages for each individual faith based provision and where other factors such as an evaluation against the potential of the school to raise education standards will not be compromised. As part of the annual appraisal of the impact of the principles there will be an equalities impact assessment to ensure that there are no unintended consequences of promoting faith based provision on those who have minority or no faiths on access to school places.
65. The Council will continue to support the establishment of Trusts, Federations and Multi Academy Trusts who share the ambition of the Council's Education Vision and its principles which are now seen in the context of the enhanced complexity created by increased numbers of academies, academy chain partners and school self-determination.
66. The Council will welcome the parent or other promoter of any free school in Central Bedfordshire and will consider the allocation of financial support where the proposal is approved by the DfE and it meets a demand identified as a result of demographic growth in the area.

**Principle 9 – To support vulnerable learners in Area Special Schools and integrate appropriate Special Educational Needs provision within mainstream schools**

67. The Council will continue to support close links between mainstream and special school sectors, building better partnerships and improving co-ordination of services. While most children with special educational needs attend their local mainstream schools we will continue to support the model of area special schools.
68. The Council will also continue to maintain and support specialist provisions in some lower, middle and upper schools for children who require a more specialist approach to meeting their special educational needs.
69. The Council will also support the establishment of alternative provision for pupils who are excluded or at risk of exclusion and for whom an alternative curriculum is more appropriate.