

**PROPOSED
SCHOOL ORGANISATION
FRAMEWORK**

PUBLIC CONSULTATION DOCUMENT

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FORWARD

All local authorities have a statutory duty as Strategic Commissioner of School Places to ensure that they have a sufficient number of suitable school places for children and young people resident in their area. The Education Act 2006 requires local authorities to promote fair access to educational opportunity, high standards and pupil achievement, to increase opportunities for parental choice and respond to parental representations and secure diversity in the provision of schools when planning the provision of school places.

The complete document, which includes the School Organisation Plan with information about Cheshire East Borough Council and its proposed policies and strategy as Strategic Commissioner of School Places, and the Annex to the Plan with information about the number of school places across the Borough and forecast demand, can be accessed online at www.cheshireeast.gov.uk or by contacting the Authority on 0300 123 5012. The Government's role for local authorities of encouraging good schools to expand and of commissioning Free Schools or Academies in response to demand for places informs the draft School Organisation Framework.

The Framework provides the strategy out of which discussions can take place and decisions can be made and acted upon by the Local Authority, the Diocesan Boards of Education, other promoters and individual schools. The Local Authority's agreed procedure for decision-making in respect of school organisation proposals is referred to within the Framework, including the procedures required by law or Government guidance for making changes such as opening, closing or expanding schools.

OBJECTIVE OF THIS CONSULTATION DOCUMENT

This Consultation Document summarises the proposed key priorities for this Local Authority as Strategic Commissioner of School Places, as set out in the School Organisation Framework, and invites you to **feedback your views** on these proposals **by the 19 October**.

You can do this by completing our online consultation response form or you may prefer to write in (including email) to:

Letter :- School Organisation and Capital Strategy Team, Cheshire East Council, Delamere House (EC), Delamere Street, Crewe CW1 2LL; or
e-mail: SOCS@cheshireeast.gov.uk

Alternatively, please contact the Authority on 0300 123 5012.

TIMESCALES

The timescales for implementation of the School Organisation Framework are set out below:

21 September 2012	Consultation with interested parties
19 October 2012	Consultation closes
October – November 2012	Analysis of consultation feedback
10 December 2012	Presented to Cabinet for Determination
19 December 2012	Implementation

FURTHER INFORMATION:

Where individual queries are received, we will not answer you directly, but we will compile a detailed response to the consultation that will be published on our website with hard copies available on request.

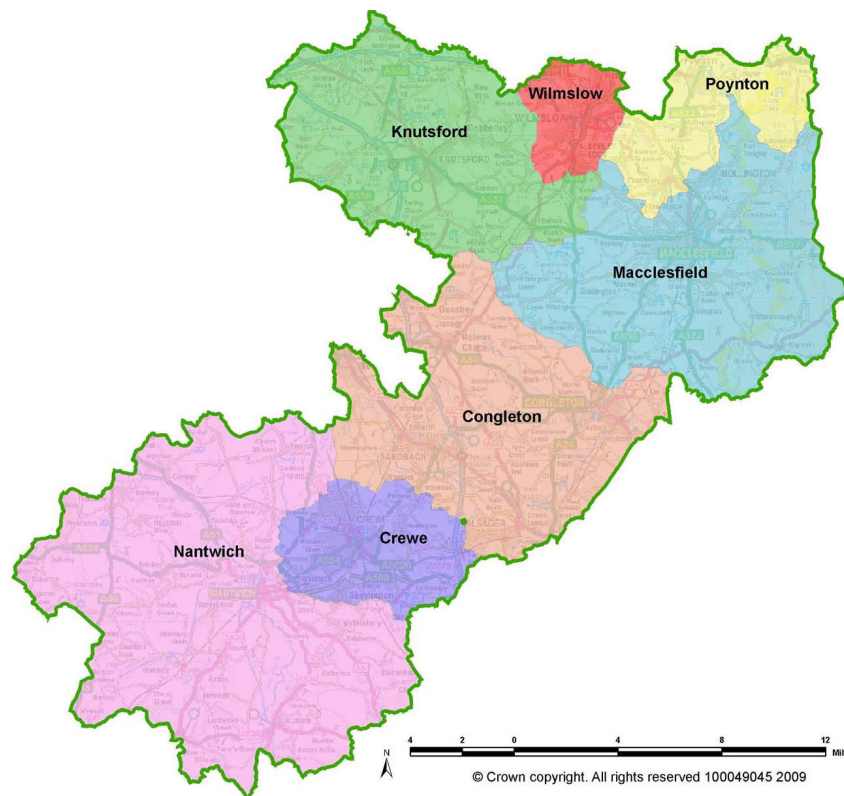
For further information, contact School Organisation and Capital Strategy Team, Cheshire East Council, Delamere House, Delamere Street, Crewe CW1 2LL, e-mail: SOCS@cheshireeast.gov.uk Tel: 0300 123 5012.

EQUALITY IMPACT ASSESSMENT

The Local Authority will only commit to policies and practices which will eradicate discrimination and promote equality for all, regardless of age, gender, disability religion and belief, race and ethnicity and sexual orientation. This policy will be subject to an Equality Impact and Needs Assessment. This assessment will be integral to all future policy and guidance reviews.

BACKGROUND INFORMATION:

Following local government reorganisation of the seven Cheshire councils, Cheshire East Borough Council came into existence on 1 April 2009 as a unitary authority made up of the former borough councils of Congleton, Crewe and Nantwich and Macclesfield, and the former Cheshire County Council. It is surrounded by 10 neighbouring authorities along with its newest neighbour of Cheshire West and Chester Council, which was also created following the Cheshire area reorganisation.



Cheshire East is located in the north-west of England and is the third largest unitary authority in this region. It has an area of 1,116km², an electorate of over 280,000 and a population of approximately 364,300 (January 2011). It is a predominantly rural area but with the majority of the population residing in the Borough's urban areas.

Under *The Education Act 1996*, parents and carers have a duty to ensure their children receive full time education between the ages of 5 and 16 in school or otherwise (i.e. home education). In Cheshire East, the vast majority choose to send their children to school. The Education and Skills Act 2008 raised the age at which young people are required to participate in education or training. This change applies from 2013, when young people will be required to stay in education or training until they are 17 years of age and from 2015 until they are 18.

The status of schools in Cheshire East is subject to change at any time over the coming years with all schools being invited to convert to Academy status. At 1 September 2011, across the Borough there were 122 Local Authority maintained mainstream primary schools and 2 mainstream Academies. These schools had a combined capacity of 28,195 places, of which 26,061 were filled (May 2011) representing an unused (surplus) capacity of 7.6%. At the secondary phase and for the same period, there were 13 Local Authority maintained mainstream schools across the Borough and 8 Academies. 15 of these schools provide for children and young people aged 11-18 years old with on-site or co-located sixth form education. The total capacity of these schools was 24,562 pupils (May 2011). Of these, 23,351 places were filled at this time, which equated to an unused (surplus) capacity across Cheshire East of less than 5%.

For children and young people with special education needs, there are 4 Local Authority maintained schools and 2 independent schools providing education for 316 pupils. The Local Authority has one 30-place Pupil Referral Unit established in April 2011 located in Crewe which caters for pupils with Special Educational Needs (SEN) and Behaviour, Social and Emotional Difficulty (BESD).

Located in Crewe is the pupil referral unit (PRU). This provision opened on 1 April 2011 for children aged 11-16 and provides 30 pupil places providing interim education for pupils that are unable to attend school due to permanent exclusion, anxious school refusal, pregnancy, medical problems or other exceptional reason. The PRU also supports pupils to reintegrate them into mainstream schools as soon as practicable.

In addition to the Local Authority publicly funded schools, there are 9 independent sector mainstream primary schools and 2 independent mainstream secondary schools. At January 2011, Cheshire East had a total of 4,435 pupils aged 2 to 19 in Independent Education.

The types of schools in Cheshire East include:

Community schools – the most common type, the Local Authority owns and funds the school which is run by school Governors, and the Local Authority employs staff and operates its admissions policy;

Voluntary controlled schools – a charity (e.g. religious institution) will own the school and appoint Governors, but the Local Authority will run the school, fund it, employ staff and operate its admissions policy;

Voluntary aided schools – a charity (e.g. religious institution) will own the school which is run by school Governors and will fund it (possibly with some Local authority support). The Governors will appoint staff and administer the admissions policy in consultation with the Local Authority;

Foundation schools – the school is owned and run by Governors, who also employ staff and operate the admissions policy in consultation with the Local Authority (the Local Authority fund the school);

Trust Schools – this is a local authority maintained foundation school supported by a charitable Trust which can comprise a range of external partners such as schools, businesses, charities, universities and colleges;

Academies – an academy is an all-ability publicly funded independent school established by sponsors from business, faith or voluntary groups working with partners from the local community with freedoms to set their own pay and conditions for staff, freedom from following the National Curriculum and the ability to change the lengths of their terms and school days;

Free Schools – are all-ability, non-profit-making state- funded independent schools. They are set up in response to what local people say they want and need in order to improve education for children in their community. They have the same level of autonomy as Academies;

Special Schools – are state schools which are provided by the local authorities for certain children with special educational needs;

PRUs – are legally a type of school providing education for children of compulsory school age for whom attendance at a mainstream or special school is not an option because of exclusion or other reasons;

Independent schools – Governors own and run the school, employ staff and determine the admissions policy. Pupils are not required to follow the national curriculum, and the school is funded privately (e.g. fees or through charitable trust funds).

New schools can also be established in response to demand and these can include:

Studio Schools - cater for 14 to 19-year-olds, delivering project-based, practical learning alongside mainstream academic study. They are small schools - typically with around 300 pupils - delivering mainstream qualifications through project based learning. Students work with local employers and a personal coach, and follow a curriculum designed to give them the skills and qualifications they need in work or to continue in education.

University Technical Colleges (UTCs) - are Technical Academies for 14-19-year-olds. They offer technical courses and work-related learning, combined with academic studies. Each UTC is sponsored by a university and industry partner and responds to local skills needs. They provide young people with the knowledge and skills they need to progress at 19 into higher or further education, an apprenticeship or employment.

SUMMARY of the SCHOOL ORGANISATION FRAMEWORK

Please refer to the main document for full details.

Overview

In the Autumn of 2010, the Government launched a comprehensive review of all capital investment in schools, early years, colleges and sixth forms. Key issues included how best to meet parental demand; how to make current design and procurement cost-effective and efficient; and included an overhaul of how capital is allocated and targeted. An interim Capital Strategy, which is published on the Local Authority's website at sets out the current priorities. This Strategy will be superseded by a new Strategy informed by the outcome of the James Review.

Changes to local funding formulas are planned by The Department for Education for implementation from 1st April 2013. The direction of travel will be the delivery of funding to schools via pupil led factors wherever possible.

During the period 2001 to 2011, statistics published by The Office for National Statistics (ONS, 2011) show that the number of live births for England and Wales has risen by 22 per cent (despite a small fall between 2008 and 2009) with an annual growth of 2.4 per cent. This increase has implications for local authorities in terms of school place planning.

Demographic pressures nationally can impact on existing patterns of transfer between schools from one local authority to another (cross-border movement). Cheshire East is classed as a 'net importer' of pupils, which means that more families living outside Cheshire East send their children to Cheshire East schools compared with Cheshire East families choosing schools in other areas. The number of families taking up places in neighbouring local authorities may change as unused (surplus) places reduce in those authorities and create an unknown additional pressure on local provision.

In Cheshire East, European Migration has contributed to the movement of pupils 'in year' to schools in some areas. Migration can affect all year groups unlike rising birth rates, which are more likely to move through year groups progressively. In the academic year 2010-2011, 6020 pupils changed schools during the course of the year. This included pupils moving between Cheshire East schools, Cheshire East pupils leaving for schools in other authorities and new admissions into Cheshire East schools of pupils not previously on roll at a Cheshire East school. This 'in year' mobility can only be facilitated where there is a level of unused (surplus) places across the Authority.

New housing developments are recognised as an obvious potential source of increased demand for school places. Uncertainty about the point at which school places will be needed as a consequence of new housing developments presents a major source of risk in the process of planning and providing sufficient school places.

Planning for additional capacity over the derived need will be a priority on the basis that all indications are that demand for school places will continue to grow beyond 2015/16.

Primary School Places

The number of Cheshire East primary aged pupils over the period 2011 and 2016 is forecast to increase by just below 800 pupils representing a 3% increase over this period. Population forecasts indicate that the increased number of primary pupils will continue over the ten year period 2009-2019. The numbers vary from one Local Area Partnership (LAP) to another with the biggest increases in the number of pupils being in Congleton and Crewe. The area with the highest percentage increase over this period is Nantwich with the area forecast to have an additional 4.2% pupils in 2016 compared with 2011. The largest percentage increase from year to year is forecast for September 2013 with approximately 44% of the overall increase occurring at this time. The main areas of concern are the Wilmslow and Crewe LAPs, which for 2010- 2011 indicated only 1% unused (surplus) places in Wilmslow falling to -3% by 2016 and for Crewe, 7% falling to only 3% for the same period.

Secondary School Places

Forecasts indicate that between 2011 and 2016 there will be 1500 less secondary aged pupils. The biggest fall is forecast for the Congleton LAP with it having 49% of the total overall decrease of 1531. This represents a 9.6% fall in the number of pupils for this area. The pattern of unused (surplus) secondary places across the seven LAPs is quite different to that for the primary phase, with all areas showing an increase in the number of unused (surplus) places across this period. For the Wilmslow and Poynton LAPs, the number of unused (surplus) places is low but with forecasts indicating a reduction in the number of pupils for the period 2011-2016. The growth in the number of primary aged pupils will, of course, impact on the secondary sector as those pupils transfer to high schools.

Special Educational Needs

In 2010, the Local Authority began the process of reviewing its arrangements for children and young people with Special Educational Needs and Disability (SEND). One of the priority recommendations emerging from the SEND review was the identified need to establish local specialist provision for children and young people with Autism Spectrum Condition (ASC) between the ages of 4 to 19.

Priorities

The Local Authority will

- establish and maintain effective working relationship with schools when carrying out its statutory responsibility for ensuring there are sufficient suitable school places in its area
- undertake consultation with school partnerships when reviewing school places to ensure that headteachers are fully engaged in the process from an early stage
- be committed to ensuring that every parent or carer can choose an excellent school for their child
- take into account the wishes of parents when planning and managing school places
- support the presumption in favour of the expansion of popular and successful schools
- engage with schools and local communities across Cheshire East via the seven Local Area Partnerships (LAPs)
- establish new schools, where possible, as Free Schools or Academies in line with statutory requirements by identifying and working with sponsors and partners
- seek to raise achievement for all learners by:
 - *working with schools to improve the quality of learning, teaching and provision of a personalised curriculum*
 - *supporting and challenging schools in the setting of demanding but realistic targets*
 - *encouraging schools to collaborate in raising expectations, sharing good practice and innovating*
- take into account Office for Standards in Education (Ofsted) inspection reports when reviewing the number of places in an individual school or in a group of schools
- pursue diversity in the provision of school places in order to:
 - *enhance parental choice of schools and maximise the number of places in popular schools*
 - *raise standards of achievement and attainment*
 - *enhance investment in education from a variety of stakeholders*
- support collaborative working between schools to increase freedoms and flexibilities and encourage joint working between providers of education
- maintain a sufficient level of unused (surplus) places to allow for parental preference.
- aim to achieve a target level of no more than 10% unused (surplus) places overall and with a minimum target of 4% at a more local level based on planning areas (school clusters)
- seek to establish any new provision as primary, secondary special or all-through

- aim to provide primary schools with single aged classes wherever possible. It may be necessary to have mixed aged/vertically grouped teaching arrangements in some schools because they are rural schools or due to the wishes of the local community
- seek to establish any new school built as 1 form of entry (FE) with a site and infrastructure suitable for development to 2 FE, as far as possible
- establish new primary schools or extend existing schools beyond 2 forms of entry (420 places) only in very exceptional circumstances
- aim to establish new primary schools with a minimum roll of 90 or more pupils
- aim to establish new secondary schools with a minimum roll of 900 pupils (180 intake) with a site suitable for expansion to a 210/240 intake.
- support federation as an option to secure the sustainability of several schools Consultation is an important part of the process towards federation and collaboration and the responsibility for this lies with existing governing bodies.
- monitor schools with 15% - 25% or more unused (surplus) places. Long term forecasts will be reviewed before any proposals are made to reduce the capacity to take into account future demand due to the potential for growth beyond the five year forecasting period.

Process

The Local Authority's Capital Strategy sets out the capital investment priorities for Children, Families and Adults Services., which are based on the following requirements:

- The provision of sufficient places to meet the needs of local communities;
- The removal of temporary accommodation when funding permits;
- The provision of healthy and safe environments in which pupils and staff can work;
- To meet curricular and organisational needs;
- To enhance physical access to buildings; and implement key strategic initiatives.

To enable the Local Authority to provide value for money, it is recognised that there should be a close link between the supply and demand for school places. Schools could not plan effectively if there were too many unused (surplus) places as patterns of parental preference can change from year to year creating uncertainty and financial pressures. Therefore, a balance needs to be struck between planning what is needed for an area as a whole and planning that enables parents to express meaningful preferences for individual schools.

School places will be monitored on an area basis using Local Area Partnerships (LAPs) and, at a more local level using planning areas (school clusters). Details of these groupings are included as appendix 7 to the main document. The purpose of focusing on LAPs is to identify future demand for each area and not to

restrict this pupil movement. It is also recognised within the overall Framework that schools form planning areas or clusters driven by their location and the pattern of demand from parents and carers for school places. Bi-annual reviews of pupil forecasts will be implemented to ensure demand and supply of school places are closely aligned.

Any proposal to reduce or reorganise provision will involve consideration of a number of factors, including:

- The extent to which a school actually admits pupils from the community (designated catchment or local area) generally served by the school;
- Whether the community is sufficient to sustain the school;
- The physical condition of the school premises;
- The nature of the site, accessibility to it and scope for expansion;
- The school's ability to deliver a full range of curriculum and social experiences.
- The latest Ofsted inspection reports (successful schools)
- The pattern of parental preference (popular schools)

Statutory consultation on proposals for change will be implemented in accordance with DfE guidance and statutory procedures. Proposals for change will always be referred for advice to the Children and Families Scrutiny Panel.

Decisions on School Organisation proposals will be made in accordance with the Local Authority's agreed procedure which provides that decisions to consult and publish statutory notices will be taken by the Individual Portfolio Holder for Children and Families and when considering statutory school reorganisation proposals and non statutory education reorganisation proposals which attract objections, decisions will be taken by a Cabinet Sub Committee.

The Organisation and Capital Strategy Team will maintain a database of all potential and approved housing developments within each Local Area Partnership. Housing developer financial contributions will be sought to fund additional school places arising from new housing. The number of pupils arising from new housing developments (pupil yield) will only be included in pupil forecasts when developer contributions have been agreed as part of the planning process (Section 106 agreements). However, all pupil yields generated from developer enquiries and planning applications will be taken into account in the order they are received when calculating subsequent developer contributions due to their cumulative effect on the demand for school places.

The Local Authority supports federation as an alternative solution for schools facing challenges of size or sustainability as this can deliver immediate benefits for the pupils, staff and community. Federations fall into four major groups:

- Hard Governance Federations - a single governing body shared by all schools and often a single headteacher.
- Soft Governance Federations - each school has its own governing body but the federation has joint governance/ strategic committee with delegated power.
- Soft Federation - each school has its own governing body the federation, however, has joint governance/strategic committee without delegated powers.
- Informal Loose Collaboration -each school has its own governing body and the group of schools meet informally on an ad-hoc basis.

Regardless of the form of federation adopted, all schools:

- retain their separate identity;
- continue to receive individual school budgets;
- have separate OFSTED inspections and
- report on performance individually.

The expectation on local authorities is that they will encourage good schools to expand and for the focus to be on supplying a sufficient number of good places rather than removing unused (surplus) capacity in undersubscribed schools. For the purpose of school place planning, the popularity of a school will be informed primarily by the percentage of children living in a school's catchment area who actually attend that school.

Raising achievement for all learners is one of the key priorities for this Local Authority. Any proposals for the review of the number of places in an individual school or in a group of schools will take into account Office for Standards in Education (Ofsted) inspection reports. Where the Local Authority has a number of possible options for change, standards will be a key consideration in the process and may influence the outcome of any review process.

In this predominantly rural Borough, small schools are considered an essential part of the local education provision where; without such schools, children could have to travel significant distances to the next nearest school. However, it is also recognised that small schools can easily become fragile in terms of both viability and performance. Whilst there is no nationally accepted definition of what level of pupil numbers defines a small school, as a benchmark, Ofsted regards a primary school of 100 pupils as small and 50 as very small. In comparison, The Audit Commission regards primary schools with fewer than 90 children as less cost effective. For secondary schools there is no small school classification, however, the national average is defined as a school with 984 pupils on roll. Generally, a secondary school would be considered smaller than the national average if it had between 600-800 pupils on roll.

Current Government guidance involves a presumption against the closure of small or rural schools. Recommendations to close such schools therefore

require particularly careful consideration. Any review involving small or rural schools will include, as a matter of priority, consideration of:

- the community importance of the schools
- the additional costs involved in running small schools;
- the difference between strong demand for places at a particular school and the evidence of usage by pupils living in a school's designated catchment or local area.

In all cases, where it is identified that changes are necessary, the first consideration will be to the benefits of collaboration and federation.

WHAT HAPPENS NEXT

All feedback received by **19 October** will be collated and presented in a report to the Council's Cabinet on **10 December** to inform decision making. Once determined, the School Organisation Framework will be implemented from 19 December 2012.