



Report to Policy Committee

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Report of: Andrew Jones

Report to: Education, Children & Families Committee

Date of Decision: 9/11/2022

Subject: Secondary Sufficiency in Planning Area 5: expansion proposal

Has an Equality Impact Assessment (EIA) been undertaken? Yes No

If YES, what EIA reference number has it been given? (1263)

Has appropriate consultation taken place? Yes No

Has a Climate Impact Assessment (CIA) been undertaken? Yes No

Does the report contain confidential or exempt information? Yes No

If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-

*“The (**report/appendix**) is not for publication because it contains exempt information under Paragraph (**insert relevant paragraph number**) of Schedule 12A of the Local Government Act 1972 (as amended).”*

Purpose of Report:

In order to fulfil our statutory duty we are seeking Committee agreement to proceed with secondary school expansion plans in Planning Area 5 to address the forecast deficit of places in 2023/24.

Recommendations:

We recommend that the Committee:

- 1) Agrees the proposed secondary school expansion plans in Planning Area 5. This will enable the Local Authority to fulfil its statutory duty and ensure sufficient secondary places are available to meet the forecast demand in 2023/24.
- 2) Agrees for up to £5.5m of the remaining balance of Basic Need funding to be utilised to fund the proposed expansions.

Background Papers:

Annex 1: detailed options appraisal for addressing the secondary deficits from 2023/24 onwards

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Damian Watkinson
		Legal: Nadine Wynter
		Equalities & Consultation: Bashir Khan
		Climate: Jessica Rick
	<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	SLB member who approved submission:	Andrew Jones
3	Committee Chair consulted:	Councillor Mick Rooney, Councillor Dawn Dale, Councillor Brian Holmshaw
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: Sam Martin	Job Title: Head of Commissioning
	Date: 1/11/2022	

1. PROPOSAL

- 1.1 Under section 14 of the Education Act 1996, the local authority has a statutory duty to provide sufficient school places for all pupils within its area. There are 7 planning areas in the city. Planning area 5 in the east of the city is forecast to see a deficit in secondary places in 2023/24 due to new housing and population growth.
- 1.2 Following the national picture, births in Sheffield rose by 25% between 2002 and 2012. This larger birth cohort has moved its way through the early years & primary sector and is now in the secondary sector. Throughout this period of growth, places have been added through the primary and secondary sector to manage the larger birth cohort.
- 1.3 The current city-wide picture for secondary school places forecasts a potential deficit of places across the city from 2020-2024, reaching a high point in 2023/24 after which a surplus is forecast to develop. Through the Local Authority's work with the school sector, a subgroup of the Secondary Heads Partnership was set up to create a Working Group to explore options moving forward. There was an agreement that a 'hybrid model' be implemented to address the citywide peak and demand in specific areas which was a combination of permanent and temporary expansions.

Planning to meet Demand

- 1.4 Current data forecasts a deficit of between 75-90 secondary places or 2.5 to 3.0 Forms of Entry specifically within Planning Area 5. Pressure in the area will remain high and above capacity for several years until another peak year in 2027/28. The deficits in Planning Area 5 must be addressed to ensure we meet city-wide demand.
- 1.5 Capital Delivery Service undertook desktop surveys of 3 schools in Planning Area 5 to assess potential capacity to expand to meet the demand. A fourth school, which is also in Planning Area 5, was excluded from the capacity appraisals because it is a faith school and has a city-wide intake rather than a local catchment.
- 1.6 Meetings with the three remaining schools were held in July 2022 and all schools agreed in principle to work with the Local Authority to help address the deficit places. As a result, site-based capacity assessments of internal and external space have been undertaken. Findings of site based capacity assessments of the 3 schools established that:
 1. For Oasis Academy Don Valley, there is insufficient internal and limited external capacity to expand.
 2. Both Sheffield Park and Sheffield Springs academies do have external capacity to expand and could accommodate up to 3 Forms of Entry (90 pupils) expansion between them. Potential options include:

- i) Three Forms of Entry (90 pupils) mobile expansion on one site for 2023/24.
 - ii) Two Forms of Entry (60 pupils) mobile expansion on Sheffield Springs and One Form of Entry (30 pupils) mobile expansion on Sheffield Park for 2023/24.
 - iii) Two Forms of Entry (60 pupils) mobile expansion on Sheffield Park and One Form of Entry (30 pupils) permanent expansion (created via refurbishment of existing premises) at Sheffield Springs for 2023/24.
- 1.7 Any expansions as outlined above are subject to an approvals process by the schools. In addition, we need to await the results of site based feasibility studies before proceeding with one of the above options.
- 1.8 Officers have been developing contingency plans which might be brought into play should expansions at Sheffield Park and Sheffield Springs not be agreed. These include working with schools outside of Planning Area 5 to seek agreement for expansions.
- 1.9 Agreement from Committee for the expansions to proceed at this point in the planning cycle (within the outlined financial envelope) will expedite the procurement process. We are facing extremely tight deadlines given the need to ensure the mobiles are on site by August 2023.

Planning Area 5 Expansion Proposal

- 1.10 In order to realise the necessary expansion plans for Planning Area 5 the Local Authority's proposal, subject to Committee approval, is for the following 10 key stages to be implemented:
- Stage 1: Negotiations with Sheffield Park & Sheffield Springs to reach agreement on which site is best placed to expand or whether both sites should expand.
 - Stage 2: Site feasibilities conducted by Capital Delivery Service
 - Stage 3: Statutory Consultation undertaken on proposed expansions.
 - Stage 4: Tendering Process for mobiles and/or refurbishment. Contract will not be awarded until Committee approval is secured.
 - Stage 5: Planning Permission commences.
 - Stage 6: Significant Change Business Case. Schools/Trust to submit.
 - Stage 7: Regional Schools Commissioner approval to expand
 - Stage 8: Planning Permission decision
 - Stage 9: If Planning Permission is granted, Procurement of mobiles. Contract award for mobiles.
 - Stage 10: Installation

2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 As part of laying the foundations for our future, we want pupils in Sheffield to have access to a wide range of educational opportunities to achieve their full potential as set out in the 'Our Sheffield: One Year Plan.' Working alongside city partners such as schools and Trusts, with ambition, openness and purpose, towards a bright future for our city and its pupils.
- 2.2 The proposals will ensure that the Local Authority meets its statutory duties under the Education Act to provide sufficient school places, promote parental choice, diversity and fair access. Ensuring that there are enough school places for every school-age child is a fundamental responsibility of local government and is essential to the Sheffield City Council's focus on enabling children to have a great start in life, achieve their full potential, and contribute to the success of the city. At the heart of the vision for increasing school places in Sheffield is the Council's role in guaranteeing excellent education outcomes and equitable access for all.
- 2.3 The vision is for all Sheffield families to have access to great, inclusive schools in every area of the city. This means schools ensuring each child reaches their potential, equal access for the most vulnerable children, schools at the heart of their communities, and getting the best value from all funding opportunities. By expanding the two schools, the plan proposed would provide sufficient secondary places for the North East of Sheffield without creating over capacity within the school system.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 The Local Authority has engaged in an informal consultation with both schools. Should a decision be taken by Members that the schools within Planning Area 5 should be expanded, a formal statutory consultation will take place where one is needed as part of any statutory process. Pupils, parents, local community and other parties potentially impacted by expansion proposals, (including other schools in the area) will be consulted. This is subject to the Department for Education's significant change expansion threshold being met. Should the proposal proceed, then all required steps will be taken to ensure that all relevant stakeholders are consulted and any equality related needs to fully access the consultation are met.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

4.1.1 Equality of Opportunity Implications

- 4.1.2 Decisions need to take into account the requirements of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This is the duty to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act

- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

4.1.3 The Equality Act 2010 identifies the following groups as a protected characteristic: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

4.1.4 An Equality Impact Assessment has been carried out and highlights that typically schools within Planning Area 5 are characterised by deprivation and a higher proportion of Black and Minority Ethnic population. Both schools serve an area of disadvantage which is above the national average. The proportion of pupils who are believed to speak English as an additional language is well above the national average for secondary schools. The proportion of students known to be eligible for the pupil premium is also well above average. If additional places were created to address the rising demand expansion could further increase the diversity of pupils and help reduce socio-economic divide.

4.1.5 Sheffield Park and Sheffield Springs are in Locality C which has 63 secondary pupils with an Education, Health and Care Plan (EHCP) which is 1.4% of the total secondary student population in that locality, and 501 secondary pupils with Special Education Needs (SEN) support which is 11.3% of the total secondary student population in that locality (source: SCC 2022).

4.2 Finance Implications

4.2.1 The council has now received details of its Basic Need Funding Allocation (Central Government Funds for the creation of School Places) up to 2024/25, these total £9.8m. Existing commitments from this and balance brought forward from previous years leaves £5.5m available for investment.

4.2.2 The costs associated with the proposed expansions in Planning Area 5 will be met from this remaining balance. Full costs of the schemes will only be able to be calculated when a decision on the preferred solution is reached. However, further expansions will be required in this planning area in future years to meet another expected bulge in 2027/28. Indications from discussions with DfE are that additional Basic Need funding may be available from 2025/26 to meet the cost of this. Should development of these places need to commence before funding announcements from the DfE, corporate funds may be required for cash flow at initial stages. However, if required this will be subject of a separate decision.

4.2.3 Schools will be allocated any funding for growth in line with the relevant financial year's Growth Funding Policy, subject to any changes in national guidance and legislation surrounding The Schools and Early Years Funding Regulations.

4.3 Legal Implications

4.3.1 The proposal outlined in this report will assist the Council in meeting its statutory duty to secure sufficient secondary school places under section 14 of the Education Act 1996. Also, the Department for Education has a strong expectation that academy trusts will support LAs to meet their sufficiency duty by providing additional places where they are needed. All proposals outlined in this report would be subject to consultation and would follow the relevant statutory process and approval route. This will include the publication of statutory proposals relating to the changes as part of the consultation process. Any legal implications will be considered at that time.

4.4 Climate Implications

4.4.1 An initial Climate Impact Assessment has been undertaken. Following site feasibility studies, a full Climate Impact Assessment will be undertaken once a final agreement on any mobile or building refurbishment has been received.

4.5 Other Implications

4.5.1 No further implications have been identified.

5. **ALTERNATIVE OPTIONS CONSIDERED**

5.1 A detailed Options Appraisal was undertaken to consider alternative options to help address the secondary deficits from 2023/24 onwards. Please see **Annex 1**.

6. **REASONS FOR RECOMMENDATIONS**

6.1 The proposed expansions in Planning Area 5 will contribute to:

- Need for places: without additional places in the area, the impact on families of not getting a local place will be significant as well as the impact on neighbouring schools.
- Children's outcomes: the standard of education that are provided at the two schools is of a good quality – both schools are rated by Ofsted as "Good."
- Equality: the catchment area is characterised by deprivation and a higher proportion of Black and Minority Ethnic population. By increasing places at these two schools the needs of all children are met, in particular the needs of more vulnerable children and families located in the city.

Annex 1 – detailed options appraisal for addressing the secondary deficits from 2023/24 (options identified may be used in isolation/in conjunction with one another to provide an overall solution)

Option 1: Utilise existing space within school estate.	
<i>Assumptions: Schools with additional internal capacity agree for this to be utilised.</i>	
Strengths	Weaknesses
<ul style="list-style-type: none"> • Low cost solution – utilise existing space within school estate. • Could provide some additional places that meet some of the Year 7 demand in the short term • Limited capital required compared to a permanent solution/mobiles • Utilisation of existing space within existing buildings – less disruption for pupils & staff 	<ul style="list-style-type: none"> • Risk that the Local Authority will still be unable to fulfil its statutory duties • This solution alone will not provide the required number of places in the longer term (2024/25 onwards)
Opportunities	Threats
<ul style="list-style-type: none"> • May provide a flexible solution that meets some of the need of Year 7 in the short term 	<ul style="list-style-type: none"> • Due to the significant number of new homes built or to be built in the area, a permanent solution may be required within Planning Area 5 to accommodate the potential number of pupils which may arise due to new housing • Unattractive option for schools and may be rejected as an option by the schools themselves – schools may not welcome an external body reviewing their curriculum and timetabling

Option 2: Refurbishment of spaces within schools to create additional classroom space.	
<i>Assumptions: Local Authority agrees capital costs, schools agree to remodelling of school spaces</i>	
Strengths	Weaknesses
<ul style="list-style-type: none"> • Low cost solution – cost of refurbishment only • Could provide additional places that meet some of the Year 7 demand in the short term, particularly if multiple schools involved • Non-teaching space can be converted to classroom space within a short period of time • Smaller amount of capital required compared to a permanent solution 	<ul style="list-style-type: none"> • Risk that the Local Authority will still be unable to fulfil its statutory duties – remodelling of spaces is not likely to provide the required places to meet demand. • This solution alone may not provide the required number of places
Opportunities	Threats
<ul style="list-style-type: none"> • May provide a flexible solution that meets some of the Year 7 demand in the short term • Remodelled spaces can be used flexibly to meet demand in future 	<ul style="list-style-type: none"> • Due to the significant number of new homes built or to be built in the area, a permanent solution may end up being required within Planning Area 5 to accommodate the potential number of pupils which may arise due to the new housing • Capital approval may prove challenging due to pressure on Basic Need funding

Option 3: Mobile classrooms

Assumptions: Local Authority agrees capital costs involved, schools agree to have mobiles. Mobiles accommodate minimum of 2 Forms of Entry (60 pupils) and potentially 3 Forms of Entry (90 pupils).

Strengths	Weaknesses
<ul style="list-style-type: none"> • Lower cost solution than a permanent expansion. • Meets a temporary need for 2023/24 • Provides a solution in the short term and reduces the threat of overcapacity in later years. • Smaller amount of capital required initially compared to a permanent solution • Mobiles can be erected within a short period of time 	<ul style="list-style-type: none"> • While initial cost is smaller than a permanent expansion, keeping the mobiles on site while the year groups move through the school can become costly (e.g. initial cost approx. £330k and 2-year rent of £200k) • Risk that the Local Authority will still be unable to fulfil its statutory duties – if only proceed with mobiles which accommodate 2 Forms of Entry it will not meet the required places, negotiations will still be required with Planning Area 5 schools to go above Pupil Admission Number to address the remaining 1 Form of Entry deficit • Any temporary structure creates some problems on a school site and can become a fixture for many years • Health & Safety concerns around overall building capacity even with mobiles – limited ancillary spaces (Hall, dining, corridors etc) • Managing expectations and reducing capacity in the future may become difficult if demand keeps increasing
Opportunities	Threats
<ul style="list-style-type: none"> • Provides a flexible solution that, providing approval is given for a triple mobile (90 pupils), would meet the Year 7 demand in the short term. • Potential for school(s) to support additional (proportionate) Post 16 pupils including SEND pupils. 	<ul style="list-style-type: none"> • Due to the significant number of new homes built or to be built in the area, a permanent solution may end up being required within Planning Area 5 to accommodate the potential number of pupils which may arise due to the new housing • Unattractive option for schools and may be rejected as an option by the schools themselves – discussions and negotiations with selected schools to erect mobiles on school site is key • Resistance from local community to erect mobiles • Capital approval may prove challenging due to pressure on Basic Need funding

Option 4: Altering of catchment areas to give Planning Area 4 schools joint catchment status for pupils living in Planning Area 5. *Assumptions: Schools are their own Admissions authority and will have to agree and initiate consultations.*

Strengths	Weaknesses
<ul style="list-style-type: none"> • Could provide additional places that meets some of the Year 7 demand in the long term • Does not require any capital investment • Surpluses in Planning Area 4 after the 2023/24 peak partly managed by having joint catchment status of Planning Area 5 pupils 	<ul style="list-style-type: none"> • Does not create the additional places required in the short-term • This would require Local Authority resources to support, where resource is not available • Requires full engagement of all schools/ Academies. Requires a coordinated approach to Statutory Consultation & the legal process
Opportunities	Threats

<ul style="list-style-type: none"> • May provide a flexible solution that meets some of the need of Year 7 Planning Area 5 pupils in the long term • If the provision was offered, this could meet the needs from the city centre and surrounding area without the need to change catchments significantly 	<ul style="list-style-type: none"> • A desire to preserve existing catchments due to maintaining very close working relationships which have been built up over time with feeder schools • This would also take too long for the peak in 2023/24 • A change in catchment could destabilise current schools if not carefully planned
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Option 5: Permanent Expansion

Assumptions: Capital funding available, chosen school(s) agrees to expand.

Strengths	Weaknesses
<ul style="list-style-type: none"> • Additional places created to meet demand from local pupils but only in the longer term (2025/26 onwards) • Meets parental choice • Allows investment over time to ensure quality • Allocating additional space to high needs provision in the future when numbers begin to fall • If housing demand materialises then capacity is available at a local school 	<ul style="list-style-type: none"> • Budget pressures & unknown elements such as PFI, ground conditions, planning approval etc means that a permanent expansion cannot be completed in time for the first bulge year in 2023/24 • Market pressures – rising inflation, labour shortages & impact from Brexit has made lead times for construction longer • Future focus e.g. SEND / integrated provision, might not be located in the areas where it is needed most • Creates over capacity in the system when numbers start to fall again post 2032
Opportunities	Threats
<ul style="list-style-type: none"> • Opportunity for alternative use once numbers begin to fall e.g. some form of specialist SEND/integrated provision, alternative provision etc. 	<ul style="list-style-type: none"> • There could be damage to other schools in other parts of the city after the peak demand. It will lead to failing schools and schools that struggle financially in other parts of the city (i.e. Planning Area 4) • Could destabilise existing school numbers. • Capital pressures

Option 6: Holding Year 6 pupils back within their primary school for 1 year (utilisation of spaces from primary surpluses). Pupils to be taught Year 7 curriculum but within their primary school. *Assumptions: Schools are their own Admissions authority and therefore have to agree to the arrangements, some capital investment may be required.*

Strengths	Weaknesses
<ul style="list-style-type: none"> • Could provide additional places that meets some of the Year 7 demand in the short term as primary sector is showing surpluses 	<ul style="list-style-type: none"> • May not work practically or financially • Parental complaints • Pupils do not gain the 'secondary' experience/environment until a year after some of their peers • This would require Local Authority resources to support, where resource is not available • Would require full engagement of all primary schools and secondary schools in Planning Area 5 to take forward a coordinated approach.
Opportunities	Threats
<ul style="list-style-type: none"> • May provide a flexible solution that meets some of the need of Year 7 Planning Area 5 pupils in the short term 	<ul style="list-style-type: none"> • Parental complaints and media exposure • This could destabilise current schools planning, operation and curriculum if not carefully planned