

Cabinet – 18 December 2019

Goldsmith Academy – Revocation of expansion

Portfolio: Councillor Towe, Education & Skills

Service: Children's Services

Wards: Blakenall & Pleck

Key decision: Yes

Forward plan: Yes

1. Aim

To commence the revocation of the school expansion at Goldsmith Academy due to the current Requires Improvement grading and the projected lack of need for the pupil places.

2. Summary

- 2.1 This report outlines proposed changes to the 2021 school expansion programme approved by Cabinet in March 2019 and reasons for the proposed changes.
- 2.2 Goldsmith Academy was judged by Ofsted as Require Improvement from Good in January 2019. The Department for Education (DfE) has advised that in order to expand a school they should be in either 'Good' or 'Outstanding' Ofsted categories

3. Recommendations

- 3.1 That, as a result of changes of circumstances that would make the implementation of the proposal inappropriate at the present time, Cabinet approves the commencement of a statutory process to revoke the decision to expand Goldsmith Academy.
- 3.2 To note that the outcome of the consultation will be submitted to Cabinet in February 2020.

4. Report Detail

- 4.1 The Council has a duty to ensure there are sufficient school places for resident children who want a school place. A local authority has a general duty, under section 14 of the Education Act 1996, to secure that there are available, in its area, sufficient school 'in number, character and equipment to provide for all pupils the opportunity forms of entry of appropriate education.'

- 4.2 Cabinet received a report in March 2019 on the proposed enlargement of three schools in Planning Area 4 for September 2021, Christ Church CE (C) Primary School, Goldsmith Academy and Sunshine Infant School/Blakenall Heath Junior, to ease pressure on pupil place projections.
- 4.3. Goldsmith Academy: Cabinet approved an increase in the number of places (Primary Planning Area 4) from 60-90 from 1 September 2021 (2 forms of entry to 3).
- 4.4 The historical projections for Planning Area 4 are as follows:

Total 390	Planning Area 4		
Rec	Projected	Uptake	
18	380	333	12% less
19	475	350	26% less

This shows the general take up of places is significantly less than the projected place requirement.

- 4.5 If the Local Authority continued with just the two expansions in planning area 4, there would be an additional 45 places created and would increase the PAN to 435.

Based on trend data the approximate take up of projected places is just 90%, incorporating the % that is removed for SEN provision that take up is actually 88% so we are projecting we can meet the majority of take up and need with this new PAN.

Total 390	Planning Area 4				
Rec	Projected	Uptake	Place Need	New PAN (with 2 build in PA)	Surplus/Shortfall
20	456	401	11	435	+34 places
21	541	476	86		-41
22	456	401	11		+34 places
23	450	396	6		+39 places

- 4.6 It is proposed to commence a statutory process to revoke the decision to expand Goldsmith Academy to 3 forms of entry.

4.7 Revocation of Proposals – Statutory Process

- 4.8 The DfE's statutory guidance ("Making prescribed Alterations") sets out the statutory process the Council must follow to revoke the school expansion proposals.
- 4.9 It is the responsibility of the local authority to ensure that it acts in accordance with the relevant legislation, in this case "The School Organisation Regulations 2013", when making changes to a school.

- 4.10 If the proposer cannot implement an approved proposal because circumstances have changed so that implementation would be inappropriate or implementation of the proposal would be unreasonably difficult, the proposer must publish a revocation proposal, to be determined by the decision maker. A revocation proposal must contain:
- A description of the original proposal as published;
 - the date of the publication of the original proposal; and
 - a statement as to why the duty to implement the original proposal should not apply.
- 4.11 The proposer must publish the revocation proposal on the website and a brief notice of the proposal, including the website address where the proposal is published in a local newspaper. The proposal must contain details of how copies can be obtained; details of where to send comments to, and the date by which comments must be sent.
- 4.12 The local authority decision-maker must determine the revocation proposal within two months of the end of the representation period, and must arrange for the revocation determination to be published on the website where the original proposal and revocation proposal were published. The local authority decision-maker must also arrange for the following persons to be notified of the revocation decision together with the reasons:
- the local Church of England diocese;
 - the local Roman Catholic diocese, and
 - the governors and trustees of a foundation, foundation special or voluntary school that is subject to the proposal.

The same persons also have the right of appeal to the Schools Adjudicator (within four weeks of determination of the revocation proposal) if they disagree with the decision to revoke the proposal.

5. *Council Corporate Plan priorities*

- 5.1 The proposals to create pupil places to meet identified need and improved educational outcomes contained within this report primarily support the Council's corporate plan priority, that children have the best start in life and are safe from harm, happy, healthy and learning well.

6. *Risk management*

- 6.1 The provision of additional places will enable the Council to meet its statutory duty to ensure that there are sufficient primary school places in the borough.
- 6.2 The delivery of a strategic partner will help mitigate delivery risks and support the Council's ability to deliver these places on time, to a high quality standard and within the Education and Skills Funding Agency cost benchmarks.

7. *Financial implications*

- 7.1 If the proposal to revoke the expansion of Goldsmith Academy is approved, the funding allocated to this scheme will be returned to the Basic Need fund and will be available to be used for future expansion projects when identified.
- 7.2 No expenditure has been incurred to date in relation to the expansion scheme at Goldsmith Academy. Therefore, will be no identified abandoned costs or financial implications should this revocation go ahead

8. *Legal implications*

- 8.1 Full consideration has been given to the Department for Education guidance on School Expansions. The purpose of this guidance is to ensure the additional good quality school places can be provided quickly where they are needed, and that local authorities and governing bodies do not take decisions that will have a negative impact on other schools in the area, and that changes can be implemented quickly and effectively where there is a strong case for doing so. In line with these aims it is expected that, where possible new places will only be provided at a school that has an overall Ofsted rating of 'good' or 'outstanding'.
- 8.3 If the proposer cannot implement an approved proposal because circumstances have changed so that implementation would be inappropriate or implementation of the proposal would be unreasonably difficult, the proposer must publish a revocation proposal, to be determined by the decision maker. A revocation proposal must contain:
- A description of the original proposal as published;
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9. *Procurement Implications/Social Value*

- 9.1 At the time of writing this report the exact procurement route has yet to be finalised. Additional comments from procurement will be provided once the most appropriate route to market has been agreed confirmed and any potential implications considered.

10. *Property implications*

- 10.1 There are no property implications.

11. *Health and wellbeing implications*

- 11.1 There has been no indication that the content of this report would have any adverse impact on the health and wellbeing of staff and pupils based at Walsall schools.

12. *Staffing Implications*

- 12.1 There will be no implications for staff at this time.

13. *Reducing Inequalities*

- 13.1 It is of importance to the achievement of the Council's strategic objectives that the young people of Walsall are able to access the right provision to meet their needs in order to achieve appropriate qualifications,. Progressing to employment and/or training and make a positive contribution within the borough in the future.

14. *Consultation*

- 15.1 Consultation on proposals to revoke the decision to expand Goldsmith Academy must follow the formal representation period of four weeks

15. *Decide*

- 15.1 Cabinet approves the commencement of a statutory process to revoke the decision to expand Goldsmith Academy.

16. *Respond*

- 16.1 Subject to Cabinet approval, a formal consultation will begin to revoke the decision to expand Goldsmith Academy.

Background papers

DFE Making Prescribed Alteration
Cabinet March 2019

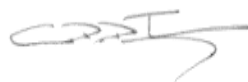
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Sally Rowe
Executive Director

10 December 2019



Councillor Towe
Portfolio holder

10 December 2019