



NOTICE OF MEETING

CABINET MEMBER FOR EDUCATION

TUESDAY, 11 SEPTEMBER 2018 AT 4.00 PM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Lisa Gallacher 02392 834056

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If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

CABINET MEMBER FOR EDUCATION

Councillor Suzy Horton (Liberal Democrat)

Group Spokespersons

Councillor Tom Coles, Labour

Councillor Hannah Hockaday, Conservative

(NB This Agenda should be retained for future reference with the minutes of this meeting.)

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AGENDA

- 1 **Apologies for absence**
- 2 **Declarations of Members' Interests**
- 3 **Dedicated Schools Grant 2018-19 quarter one budget monitoring (Pages 5 - 12)**

Purpose

The purpose of this report is to inform The Cabinet Member for Education of the projected revenue expenditure of the Dedicated Schools Grant (DSG) for the current financial year 2018-19 as at the end of June 2018.

**RECOMMENDED that the Cabinet Member:
Notes the forecast year-end budget position for the Dedicated Schools Grant as at 30 June 2018, together with the associated explanations contained within this report.**

4 Education Portfolio Budget Monitoring Report for the First Quarter 2018-19 (Pages 13 - 18)

Purpose of report

To inform the Cabinet Member of the projected revenue expenditure within the portfolio cash limit and capital programme for the current financial year 2018-19. This report sets out the budget position and contributing factors to the projected spend within the portfolio as at the end of June 2018.

RECOMMENDED

That the Cabinet Member notes the Education Portfolio forecast revenue and capital budget positions, as at the end of June 2018, together with the variance and pressure explanations.

5 Change of age range for Portsdown Primary School (Pages 19 - 24)

Purpose

to seek approval to commence the statutory process to change the age range of Portsdown Primary School from 3 to 11 years to 4 to 11 years.

RECOMMENDED that the Cabinet Member authorise the Director for Children, Families and Education to proceed to the representation stage of the statutory process by publishing a proposal to change the age range of Portsdown Primary school from 3 to 11 years to 4 to 11 years.

6 School Modernisation and Sufficiency Programme (Pages 25 - 30)

Purpose

To provide an update on the progress of:

- Urgent school condition projects
- Secondary school sufficiency schemes aimed at increasing secondary school place capacity within the city
- Special school sufficiency schemes aimed at ensuring that schools can take children with more complex SEND.

The quarterly budget monitoring report (also on this agenda) contains information in relation the financial position of the education capital programme.

RECOMMENDED that the Cabinet Member notes the progress on the school modernisation "urgent condition" projects and the secondary school sufficiency projects (as set out in the report and in Appendix A).

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Title of meeting:	Cabinet Member for Education
Date of meeting:	11 September 2018
Subject:	Dedicated Schools Grant 2018-19 quarter one budget monitoring
Report by:	Chris Ward, Director of Finance and Information Services
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1. The purpose of this report is to inform The Cabinet Member for Education of the projected revenue expenditure of the Dedicated Schools Grant (DSG) for the current financial year 2018-19 as at the end of June 2018.

2. Recommendations

It is recommended that the Cabinet Member:

- 2.1. Notes the forecast year-end budget position for the Dedicated Schools Grant as at 30 June 2018, together with the associated explanations contained within this report.**

3. Background

- 3.1. The DSG is a ring-fenced grant for Education and can only be used for the purposes of the Schools Budget as defined in the School and Early Years Finance (England) Regulations.
- 3.2. The original DSG budget for the financial year 2018-19, was approved by the Cabinet Member for Education and endorsed by Schools Forum in January 2018. Further budget adjustments were agreed by the Cabinet Member and endorsed by Schools Forum in July 2018; whilst these were approved after the closure of the first quarter accounts, the adjustments have been included within the first quarter's monitoring to ensure the forecast reflects recent decisions. This report provides the Cabinet Member with the latest forecast estimate of the year-end outturn as at 30 June 2018.

3.3. Table 1 below sets out the forecast year-end financial position of the DSG budget as at 30 June 2018.

Table 1 - Dedicated Schools Grant					
	Original budget 2018-19 £000's	Revised Budget 2018-19 £000's	Projected outturn 2018-19 £000's	Projected over / (under) spend £000's	
Income					
DSG Brought forward 2017-18	(413)	(4,687)	(4,687)	0	
DSG and other specific grants	(79,592)	(70,876)	(70,876)	0	
Total Income	(80,005)	(75,563)	(75,563)	0	
Expenditure					
Primary ISB	34,230	28,977	28,977	0	
Secondary ISB	14,742	11,305	11,305	0	
Special school place funding	1,556	1,556	1,597	41	
Inclusion centre place funding	346	301	301	0	
Alternative provision place funding	1,082	1,082	1,082	0	
Total Delegated	51,956	43,220	43,261	41	
De-delegated and central budgets	1,385	1,534	1,534	0	
Early Years	14,204	14,204	14,204	0	
High Needs	12,460	12,462	13,836	1,374	
Total Expenditure	80,005	71,421	72,836	1,415	
DSG Carried forward	0	4,142	2,727	(1,415)	

Academy conversions and post 16 recoupmnt

3.4. Since the original budget was set in January 2018, there have been a number of academy conversions and Post 16 place adjustments; these have been included within the revised budget along with the one academy conversion (Penhale Infant and Nursery) during the period from 1 April to 30 June 2018. Budget adjustments relating to the future conversion of Meon Infant School will be reflected in the quarter 2 budget monitoring.

Special School places

3.5. Special school places are expected to overspend by £40,800 due to the additional places agreed at Willows for pupils starting school in September 2018. As stated in the February report to Cabinet Member and Schools

Forum, the in-year budgetary pressure is being covered by the 2017-18 carry forward, whilst the High Needs budgets are reviewed in preparation for 2019-20 financial year.

De-delegated and Central Budgets

- 3.6. The growth fund allocations have been issued to schools and academies meeting the criteria for 2018-19. Overall four maintained schools and seven academies received growth funding for the financial year 2018-19. The forecast remains on budget and no further payments are expected during the course of the financial year.

Early Years Block

- 3.7. At the time of closing the first quarter's accounts, the final summer term payments to early years' providers of two, three and four year-old childcare have yet to be made, therefore the forecast remains on budget. Adjustments will be made during July and August 2018 for actual take up during the summer term, as well as the funding adjustment to the DSG for take up during 2017-18. The forecast will updated accordingly in the second quarter monitoring statement.

High Needs Block

- 3.8. Similarly, the summer term class lists for Special Schools, Inclusion Units and Alternative provision settings across the City were not fully validated at the time of writing this report, therefore the forecast outturn for the Element 3 Top-up funding for these settings will be as at budget and forecasts will be updated and included in the quarter 2 monitoring report.
- 3.9. Table 2 below summarises the forecast outturn position for the high needs block, explanations for which are set out in the following paragraphs.

Table 2 - High Needs Budget	2018-19 Revised budget	Forecast Out turn as at 30 June 18	Forecast (under)/over spend
	£	£	£
Element 3 Top up	8,731,900	9,052,200	320,300
Out of City providers	2,148,900	2,334,300	185,400
Financial support to special schools	0	868,300	868,300
SEN support services	674,700	674,700	0
Medical Education	660,000	660,000	0
Outreach	186,900	186,900	0
Fair Access Protocol	60,000	60,000	0
Total High Needs Block	12,462,400	13,836,400	1,374,000

Element 3 Top-up

3.10. Table 3 below breaks down the forecast overspend position for the Element 3 Top up funding as at the end of June 2018.

Table 3 - Element 3 Top-up	2018-19 Revised budget	Forecast Out turn as at 30 June 18	Forecast (under)/over spend
	£	£	£
EHCP Mainstream	1,205,200	1,524,100	318,900
Element 3 Top Up Special Schools	5,824,400	5,824,400	0
Element 3 Top Up - Resource Units	281,200	281,200	0
Element 3 Top Up - AP	221,100	221,100	0
Post 16 Special Educational Needs	800,000	800,000	0
Element 3 Top Up - OLA School	400,000	401,400	1,400
Total Element 3 Top-up	8,731,900	9,052,200	320,300

- 3.11. The September 2018 in-take of Post 16 pupils cannot be agreed and finalised with Colleges until October 2018, when pupil destinations are confirmed. Therefore the forecast position will be updated in the third quarter following receipt of the final data.
- 3.12. The forecast position for pupils at mainstream schools with Education Health and Care Plans (EHCP), is showing a predicted overspend of £318,900. The forecast position includes any changes to pupils and EHC Plans up to the end of June 2018 and along with the expected growth (based on 2017-18 growth) over the remaining months of the academic year.
- 3.13. There has been a net increase of 44 mainstream pupils with EHCPs between April and June 2018. The average cost per pupil has increased from a budgeted rate of £2,911 to £3,494
- 3.14. Portsmouth is responsible for paying the Element 3 Top-up rates for our pupils, including when they are placed in Special Schools located in other local authorities. The forecast overspend reflects known variances, however, a number of invoices are still outstanding for the 2017-18 financial year. Expected costs were accounted for in the correct year, but any variances to these estimates could impact on the forecast position for 2018-19. The current value of the outstanding creditors is £79,500.
- 3.15. As previously reported, a task and finish group has been set up to review high needs budgets and the options for managing the pressures into 2019-20. The outcomes of the discussions and proposed changes will be brought to the October 2018 decision meeting.

Out of City Placements

3.16. Out of City placements are split between:

- Independent and Specialist provision
- Child and Adolescent Mental Health Services (CAMHS).

3.17. Table 4 below provides a breakdown of the forecast position for each element.

Table 4 - Out of City Placements						
	Budget		Forecast position		Variance	
	£	Pupils	£	Pupils	£	Pupils
Independent & Specialist providers	2,120,400	40	2,299,000	36	178,600	(4)
CAMHS	28,500	7	35,300	9	6,800	2
Total	2,148,900	47	2,334,300	45	185,400	(2)

Independent and specialist provision

3.18. The budget is forecast to overspend by £178,600, based on the current pupils and expected expenditure. Whilst the number of pupils with an EHCP in out of City placements is lower than budgeted, the average cost of the placements has increased from a budgeted average of £53,010 to an average cost of £63,862 as at the end of June 2018. The increases are due to both inflationary increases which have been applied to some provider contracts, together with increases due to changes in need.

3.19. The authority is currently awaiting a number of outstanding invoices from providers relating to the 2017-18 financial year. These are currently showing as creditors in the 2018-19 financial year. Estimated costs were accounted for in the correct financial year, but any variances to these estimates could impact on the forecast position for 2018-19. The current value of the outstanding creditors is £131,100.

Child and Adolescent Mental Health Services (CAMHS)

- 3.20. There are currently 9 Pupils where the authority is expecting to fund a CAMHS placement at an estimated total cost 35,300, this is £6,800 over budget (budget set on 7 pupils). It should be noted that the actual cost of these pupils will not be known until the invoice is received. The estimate is based on the average cost per pupil paid in 2017-18 (£3,916).
- 3.21. There were a number of pupils placed in CAMHS settings in 2017-18 for whom the authority is still awaiting invoices. These have accounted for in the correct year, however, should the value of the actual invoice be differ from the creditor provision, this could impact on the forecast for 2018-19. The current value of outstanding creditors is £19,600.

Financial support to Special Schools

- 3.22. At the May 2018 Schools Forum meeting the Forum endorsed a proposal to fund the Harbour School Deficit which was then approved by the Cabinet Member in July 2018. The forecast position includes the estimated impact of the July 2018 approval.

Grant funding

- 3.23. The DSG grant funding includes the adjustments made for academy conversions and post 16 place recoupment occurring during the first quarter. Further adjustments are expected in the second quarter for early years' pupil numbers for the period September to March 2017-18 and for 2018-19 financial year following the January 2018 census, once received the adjustments will be included in the second quarter monitoring.

Carry forward balance

3.24. The January budget setting report and the July budget revision reports provided an update on the use of the carry forward from 2017-18. The table below provides the position as at the 30 June 2018.

Table 5 - Use of the 2017-18 carry forward balance		
	£m	£m
Brought forward from 2017-18		4.687
Increase in HN budget to support additional spend	(0.413)	
Schools-specific contingency	(0.133)	
Total approved use of balances (January 2018) and included in forecast position:		(0.546)
Revised Budget as at 30 June 2018		4.141
Forecast overspend as per Table 1		(1.415)
Forecast position as at 30 June 2018		2.727
Other potential pressures (awaiting confirmation - not included within the June forecast balance)		
Revenue contribution to refurbishment of Redwood Park School Awaiting Secretary of State approval	(1.000)	
Additional Special School Places (related Element 3 Top-up)	(0.082)	
Post 16 recoupment of high needs places	(0.102)	
Total other potential pressures (awaiting confirmation)		(1,184)
Estimated DSG reserves 2018-19		1.543

4. Reasons for recommendations

4.1. It is recommended that Cabinet Member notes the contents of the report in respect of the financial forecast outturn for 2018-19 as at the end of the first quarter, 30 June 2018.

5. Equality impact assessment

5.1. An equality impact assessment is not required as the recommendations do not have a negative impact on any of the protected characteristics as described in the Equality Act 2010.

6. Legal implications

6.1. There are no legal implications arising directly from the recommendations contained within this report

7. Director of Finance's comments

7.1. Financial comments are contained within the body of the report

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Signed by:
Chris Ward
Director of Finance and Information Services

Appendices:
None

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:



Title of Meeting:	Cabinet Member for Education
Date of Meeting:	11 th September 2018
Subject:	Education Portfolio Budget Monitoring Report for the First Quarter 2018/19
Report from:	Chris Ward, Director of Finance and Section 151 Officer
Wards affected:	All
Key decision:	No
Budget & policy framework decision:	No

1. Purpose of report

- 1.1. To inform the Cabinet Member of the projected revenue expenditure within the portfolio cash limit and capital programme for the current financial year 2018-19. This report sets out the budget position and contributing factors to the projected spend within the portfolio as at the end of June 2018.

2. Summary

- 2.1. The current forecast is for the total portfolio spending to be £414,000 in excess of the revenue budget provision. This arises from expected pressures on school transport, additional agency and staffing costs and pressures on income levels. The capital programme is currently forecasting an underspend of £391,000 on the approved capital budget of £86.7m.

3 Recommendations

- 3.1 **It is recommended that the Cabinet Member notes the Education Portfolio forecast revenue and capital budget positions, as at the end of June 2018, together with the variance and pressure explanations.**

4 Summary Position against Cash Limited Budget at the end of June 2018

- 4.1 The service commenced the year with a portfolio reserve of £437,000 against which there are approved and actioned commitments of £210,000. The remaining £227,000 is currently intended to contribute towards potential pressures during 2018/19.
- 4.2 At the end of the first quarter an overspend of £414,000 is currently forecast for the financial year as shown in the table below.

Service Area	Current Budget	Current Forecast	Variation
	£000	£000	£000
Senior Management	-9	-13	-4
School Improvement	374	389	15
Inclusion Support	4,156	4,590	434
Sufficiency, Participation & Support	1,077	1,046	-31
	5,598	6,012	414

The forecast variances to budget are explained further below.

- 4.3 **Senior Management** (£4,000 underspend): Staffing costs are currently anticipated to be slightly below budget provision as a result of minor variations in pay rates.
- 4.4 **School Improvement** (£15,000 overspend): this relates to both staffing and operational costs currently anticipated to exceed budget.
- 4.5 **Inclusion Support** (£434,000 overspend): home to school transport provides perennial budget pressures and the current forecast is for an overspend in the region of £376,000. A small number of very high cost pupils are increasing the projected overspend. Work is currently being undertaken to arrange contracts for the new academic year, including the identification of potential areas for cost efficiencies where possible. Forecasts will become clearer once these new contracts are in place. Additional staffing requirements to support children with disabilities and special educational needs have increased the budget pressure.
- 4.6 **Sufficiency, Participation and Support** (£31,000 underspend): Vacancies within the early part of the year within the business and partnerships and careers advice teams have generated a budget underspend; however, these posts have now been recruited to.

5 Capital Programme

- 5.1 Attached at Appendix 1 is the current capital budget monitoring position in respect of all schemes in the capital programme for Education, which was approved by Council in 13th February 2018.
- 5.2 Current spending at £56m is some £30.5m below approved funding for the schemes identified, reflecting the longer term nature of capital spending. At this stage, however, the forecast eventual spending levels suggest a possible overall underspend of £391,000 against total approved funding of £86.715m. Comments

related to the variations are noted on Appendix 1, and arrangements to re-align budgets and adjust spending plans are currently being considered.

6 Summary

- 6.1 The portfolio budget is currently forecast to overspend by £0.4m, although the Portfolio reserve will partially mitigate this. The most significant variation is Transport provision, with some minor in year savings against staffing budgets are reducing the forecast deficit position slightly. The service recognises that any overspends will need to be contained or carried forward and officers are working to identify where savings can be made.
- 6.2 The capital programme is broadly spending in line with approved funding levels with some relatively minor project spend variations, potentially requiring capital virements to be put in place.

7 Equality impact assessment (EIA)

- 7.1 An equality impact assessment is not required as the recommendations do not have a negative impact on any of the protected characteristics as described in the Equality Act 2010. There is no change to policy or service and through the budget review process equality impact assessments would be undertaken on an individual basis as required.

8 Legal comments

- 8.1 There are no legal implications arising directly from the recommendations in this report.

9 Director of Finance comments

- 9.1 Financial comments are contained within the body of the report.

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Chris Ward, Director of Finance and Section 151 Officer

Background list of documents: Section 100D of the Local Government Act 1972

The information upon which this report has been based has been drawn from a variety of sources; however much of the information used is held in budget files prepared by the Children and Education Finance Team. Please contact Beverley Pennekett, Finance Manager, if required.

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by the Cabinet Member on

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Signed by: Cabinet Member

Appendicies:

Appendix 1 - Children and Education Capital Budgets



Children and Education Capital Budgets

APPENDIX 1

Number	Scheme	Current Approved Budget	Actual spend to Jun-18	Forecast Spend	Forecast Variance	Explanation
		£	£	£	£	
1	Primary Capital Programme	15,922,000	15,841,900	15,758,900	-163,100	Savings in scheme costs and unneeded contingency provision. Anticipated that this will be redirected towards other school sufficiency schemes.
2	Victory School	10,197,900	10,197,900	10,197,900	0	
3	Sufficiency Programme Phase One 2013- 2015	6,549,800	6,289,100	6,549,800	0	
4	Sufficiency Programme Phase Two 2015- 2017	10,954,200	6,952,800	10,772,000	-182,200	Savings in scheme costs and unneeded contingency provision. Anticipated that this will be redirected towards other school sufficiency schemes.
5	Secondary School Feasibility Study	150,000	97,600	150,000	0	
6	Temporary Accommodation	333,100	358,000	358,000	24,900	temporary accommodation requirements at Langstone school
7	Vanguard Centre	3,270,600	1,711,500	3,270,600	0	
8	King Richard School Rebuild 900-1000 places	1,685,500	1,391,400	1,685,500	0	
9	Portsmouth College Sufficiency Post 16	246,000	245,900	245,900	-100	
10	Universal Infant Free School Meal Works	891,600	889,200	892,700	1,100	
11	Universal Infant Free School Meal Provision	628,700	593,400	628,700	0	
12	Salix	82,500	80,400	82,500	0	
13	St Edmunds SI Provision	507,300	507,300	507,300	0	
14	Access SEN Pupils	283,200	290,600	286,800	3,600	Additional signage and paving requirements to facilitate usage by sensory impaired students.
15	ALN Lift Repairs	42,200	41,100	42,200	0	
16	Schools Conditions Projects - Modernisation	1,489,200	1,422,500	1,468,100	-21,100	minor savings on variety of schemes
17	School Condition Projects 2014-2016	2,845,000	2,690,200	2,831,200	-13,800	
18	School Conditions Project 2016 - 17	1,001,400	862,800	1,000,900	-500	
19	Secondary School Places Expansion Phase (1)	1,652,000	1,589,800	1,611,700	-40,300	scheme savings and unallocated contingencies.
20	Special Education Needs - Building Alterations	3,191,600	469,800	3,191,600	0	
21	Schools Devolved Formula Capital 2016-17	2,954,500	2,645,400	2,954,500	0	
22	Sufficiency of Secondary School Places	5,350,000	335,300	5,350,000	0	
23	Future Secondary School Places Feasibility	120,000	107,300	120,000	0	
24	School Condition 2017-18	1,155,500	493,000	1,155,500	0	contingency usage in later year
25	Beacon View - Kitchen Block	45,000	39,300	45,000	0	
26	School Condition 2018-19	1,100,000	27,400	1,100,000	0	
27	Sufficiency of School Places 2018-19	10,237,800	61,400	10,237,800	0	current project approvals being revisited
28	Special School Places - Redwood Park	3,053,700		3,053,700	0	
29	Special School Places - Willows	400,000		400,000	0	
30	Milton Childcare Sufficiency	250,000		250,000	0	
31	Forest School - Community Accessible Education	125,000		125,000	0	scheme to be designed
TOTALS		86,715,300	56,232,300	86,323,800	-391,500	

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Title of meeting:	Cabinet Member for Education
Date of meeting:	Tuesday 11 th September 2018
Subject:	Change of age range for Portsdown Primary School
Report from:	Alison Jeffery, Director of Children, Families and Education
Report by:	Caroline Corcoran, Head of Sufficiency, Participation and Resources
Wards affected:	Paulsgrove
Key decision:	No
Full Council decision:	No

1. Purpose of report

- 1.1 The purpose of this report is to seek approval to commence the statutory process to change the age range of Portsdown Primary School from 3 to 11 years to 4 to 11 years.

2. Recommendations

- 2.1 It is recommended that the Cabinet Member
 - authorise the Director for Children, Families and Education to proceed to the representation stage of the statutory process by publishing a proposal to change the age range of Portsdown Primary school from 3 to 11 years to 4 to 11 years.

3. Background

- 3.1 Portsdown Primary School is a two form entry primary school in Paulsgrove. The school also has term time pre-school provision for pupils aged from 2 years of age. Currently the pre-school is administered in two parts:
 - The provision for **three and four year old children** is operated as school nursery classes with the children attending being included in the schools census as pupils of the school.
 - The provision for **children aged two** is a separately registered pre-school which is operated under the governing body's community powers. The early years' provision at Portsdown Primary school was judged to be Outstanding by Ofsted in May 2018.

- 3.2 The Governing Body of Portsdown Primary School has formally resolved to change the age range of the school from 3 to 11 years to 4 to 11 years. This would enable the school to offer **all pre-school provision from a single pre-school setting**. The pre-school setting would be operated by the school governing body and would simplify the administration of education for early years children whilst continuing to offer good quality early years' education.
- 3.3 When four year old pupils leave the pre-school setting they will become pupils on roll in Year R of a mainstream school at the start of the school academic year in which they become 5 years old. It is assumed this would be Portsdown Primary School, but this would be subject to admission arrangements.
- 3.4 The rationale for the change is financial stability. A change of school age range to move the provision for three and four year old pre-school children into the pre-school would provide the school governing body with the flexibility to make changes to the staffing at some point in the future, should they wish to do so.
- 3.5 The statutory staffing levels for the two different types of provision are as follows:
- a) Where children aged three and over are educated in **nursery classes in maintained schools**:
- there must be at least one member of staff for every 13 children
 - at least one member of staff must be a qualified school teacher
 - at least one other member of staff must hold a full and relevant level 3 qualification.
- b) Where a school governing body operates **childcare as a community provision** where three and four year olds are not pupils of the school, there is no requirement for a member of early years' staff to be a qualified teacher. The childcare provision can either:
- operate with a 1:13 staff : pupil ratio where a person with a suitable level 6 qualification is working directly with the children
- or
- a 1:8 ratio where a person with a suitable level 6 qualification is not working directly with children but at least one member of staff present holds a level 3.

4. Statutory Process

- 4.1 Portsdown is a community maintained primary school. A change of age range for a community maintained school is a prescribed alteration governed by The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013.
- 4.2 Under the statutory Department for Education (DfE) guidance "Making 'prescribed alterations' to maintained schools" issued by the DfE in April 2016, Local Authorities can propose:
- a change of age range of 1 year or more for community schools (including the adding or removal of sixth-form or nursery provision) and community special schools or alter the upper age limit of a foundation or voluntary school to add sixth-form provision by following the statutory process.
- 4.3 The LA is the decision maker for a proposal to change the age range of a community school.
- 4.4 The statutory process for making prescribed alterations to schools has four stages:

Stage	Description	Timescale	Comments
Stage 1	Publication (statutory proposal / notice)		
Stage 2	Representation (formal consultation)	Must be at least 4 weeks	As prescribed in the 'Prescribed Alteration' regulations.
Stage 3	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator.	Any appeal to the adjudicator must be made within 4 weeks of the decision.
Stage 4	Implementation	No prescribed timescale	However it must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

- 4.5 Once a proposal has been decided only the Church of England Diocese or Roman Catholic Diocese can appeal the decision through the schools adjudicator.

5. Reasons for recommendations

- 5.1 The Governing Body of Portsdown Primary School has approached the Council with a request to change the age range of the school from 3 to 11 years to 4 to 11 years.
- 5.2 The school will continue to offer pre-school provision for local children from the age of two under the governing body's community powers. There will be no change to the quality of the early years education that is provided. The change will simplify the administration of the provision, help to make the provision more sustainable and allow it to be more flexible and adaptable in future.
- 5.3 If approved, stage 1 of the statutory process will commence with the publication of the proposal on 17th September 2018 followed by the four week statutory consultation which would end on 14th October. A report on the outcome of the statutory consultation will be brought to the November Cabinet Member for Education Meeting

6. Equality impact assessment

- 6.1 An equality impact assessment is not required as the recommendation does not have a negative impact on any of the protected characteristics as described in the Equality Act 2010. A change in age range for Portsdown Primary School will affect all parents in the area equally.

7. Legal implications

- 7.1 The Education and Inspections Act 2006, the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and the DfE statutory guidance "Making Prescribed Alterations to Maintained Schools - statutory guidance for proposers and decision-makers (April 2016)" set out the procedure for changing the age range of a community maintained school. The stages of the statutory process are set out in paragraph 4.4 of this report.
- 7.2 There is no statutory requirement for a pre-publication consultation period for this prescribed alteration but there is an expectation within the 2016 statutory guidance that Local Authorities and schools will consult interested parties in developing their proposal prior to publication. The Local Authority will be the decision-maker of this proposal and it must satisfy itself that before the final decision is made, appropriate consultation has been carried out and that the statutory proposal is published in accordance with the Regulations and statutory guidance.
- 7.3 Under Part 2, Section 3 of the City Council's constitution the Cabinet Member for Education has the authority to approve the recommendation set out in this report.

8. Director of Finance's comments

- 8.1 The School and Early Years Finance (England) regulations set out the Dedicated Schools Grant (DSG) framework for the provision of funding for 2,3 and 4 years old in nursery settings and pupils in the reception class to year 11 attending mainstream schools.
- 8.2 The local funding formula for 2, 3 and 4 year olds in nursery settings was approved by Cabinet Member and endorsed by Schools Forum in January 2018. The funding provided by the City Council for an eligible 2 year old, taking up the full 15 hour per week entitlement of funded childcare provision over 38 weeks, would amount to £2,867 per annum and for a 3 or 4 year old child, would amount to £2,588 per annum. Therefore a change in age range will not impact on the funding received by the school for 2, 3 and 4 year old pupils.
- 8.3 Where there is an increase in the number of 2, 3 or 4 years olds in nursery settings funded through the local funding formula, and they are taking up their entitlement at the time of the January census count, then additional funding will be provided by the DfE through the DSG.
- 8.4 The local funding formula for mainstream, schools was agreed by the Cabinet Member for Education in January 2018 and is based on the October 2017 census. The census information indicates that the number of pupils attending reception class totalled 63, which matched the total number of 4 years olds recorded on the census. This would indicate that a change in age range would be unlikely to impact on the funding received by the school through the mainstream funding formula.
- 8.5 For avoidance of doubt no provision has been made under the authorities capital programme for any capital works that may be associated with the change in age range and it is expected that the pupils will be accommodated within the existing capacity of the school.
- 8.6 The reorganisation of a nursery provision is not an eligible use of the mainstream growth fund.

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Signed by:
Alison Jeffery
Director of Children, Families and Education

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Statutory DfE guidance: Statutory framework for the early years foundation stage	Website https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/596629/EYFS_STATUTORY_FRAMEWORK_2017.pdf
Statutory DfE guidance: Making 'prescribed alterations' to maintained schools	Website https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/514548/16-04-06_FINAL_SO_Guidance_PA_Regs.pdf

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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 Signed by:

Agenda Item 6



Portsmouth
CITY COUNCIL

Title of meeting:	Education Decision Meeting
Decision maker	Cabinet Member for Education
Subject:	School Modernisation and Sufficiency Programme
Date of meeting:	11 September 2018
Report from:	Alison Jeffery Director of Children, Families and Education
Report by:	Caroline Corcoran Head of Sufficiency, Participation and Resources - Education Service
Wards affected:	All Wards
Key decision (over £250k):	No
Full Council decision:	No

1. Purpose of report

1.1 The purpose of this report is to provide an update on the progress of:

- Urgent school condition projects
- Secondary school sufficiency schemes aimed at increasing secondary school place capacity within the city
- Special school sufficiency schemes aimed at ensuring that schools can take children with more complex SEND.

1.2 The quarterly budget monitoring report (also on this agenda) contains information in relation the financial position of the education capital programme.

2. Recommendations

2.1 It is recommended that the Cabinet Member notes the progress on the school modernisation "urgent condition" projects and the secondary school sufficiency projects (as set out in the report and in Appendix A).

3. School modernisation (urgent condition) projects

3.1 The urgent condition projects have been identified through Asset Management Plan meetings, condition surveys and recommendations by Education officers concerning the needs of specific pupils.

- 3.2 There are 4 "live" condition projects remaining in the 2017-18 programme. These 4 projects are expected to be completed by the next quarterly report. All other approved urgent condition projects from 2017-2018 have been completed.
- 3.3 There were 10 urgent condition projects approved in the 2018-19 programme at the start of the financial year, plus a contingency allowance for urgent emerging works. Three additional urgent condition projects have been reported since the start of the financial year.
- 3.4 Since the last report, one urgent condition project has been commissioned, funded from the contingency for urgent emerging works:
- Cottage Grove - boiler replacement. The boiler failed the annual boiler service and due to its age and levels of corrosion could not be repaired. Therefore, a new boiler is being installed prior to the winter.
- 3.5 The condition surveys for The Harbour School @ Fratton and the Craneswater Albert Annex, which were completed, have been removed from the projects in progress dashboard. Discussions are continuing regarding the future of these two buildings.
- 3.6 In summary, the urgent condition projects currently in progress are:
- 2017-2018 modernisation programme - 4 projects
 - 2018-2019 modernisation programme - 12 projects
- 3.6 Risks to the progress of the individual projects, as detailed in the Progress dashboard at [Appendix A](#), have been updated. No new risks to the progress of the projects have emerged since the last report.

4. Secondary sufficiency schemes (phase 2)

- 4.1 The Secondary School Place Strategy 2017-2023 outlined the immediate and medium-term pressures on secondary school places. The Strategy and the feasibility studies informed the recommendations to address future sufficiency issues. The council has previously approved funding for school expansions.
- 4.2 The progress of individual schemes, as detailed in [Appendix A](#), has been updated.
- 4.3 No risks to the progress of the projects have emerged since the last report.
- 4.4 The Secondary School Place Strategy is being refreshed for 2018-2024, and a Primary Place Strategy 2018-2024 is being developed. These documents will inform future sufficiency schemes for mainstream schools.

5. Special school provision sufficiency schemes

- 5.1 The council has previously approved funding for special school provision sufficiency schemes.
- 5.2 The progress of individual projects, as detailed in Appendix A, has been updated. These projects were not targeted at increasing the number of places, but ensuring that the schools can take children with more complex SEND.
- 5.3 There is an increasing demand for SEND places, and further work is being done to establish how to address this pressure on SEND provision, taking into account the recommendations of the recent SEND Review. A SEND Provision Place Strategy is being drafted and will inform future sufficiency schemes for SEND provision.
- 5.4 No risks to the progress of the projects have been identified at this early stage.

6. Equality Impact Assessment (EIA)

- 6.1 An equality impact assessment is not required for the overall programme as it is not possible to assess the protected characteristics reasonably, as described in the Equality Act 2010, across such a diverse range of capital works.
- 6.2 The implementation of the school modernisation programme (urgent condition) and the secondary sufficiency programme (phase 2) will not have a negative impact on any of the equality groups. The programme will improve access to schools for all equality groups, particularly with regard to those pupils who have learning difficulties and / or a disability.
- 6.3 Each individual capital project/scheme includes an equalities impact assessment.

7. Legal implications

- 7.1 The works within the projects/schemes identified are being undertaken in accordance with the Council's statutory powers and duties and, in particular, the Council:
 - is required to provide school premises in respect of foundation or voluntary controlled schools under the School Standards and Framework Act 1998, Schedule 3
 - has an obligation to ensure that school premises are maintained to a prescribed standard in accordance with section 542 of the Education Act 1996 and the School Premises (England) Regulations 2012, made under that section.
 - has a statutory duty to provide sufficient schools for primary and secondary education in its area in accordance with section 14 of the

Education Act 1996. The schools must be sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education. Local Authorities must also promote diversity and parental preference.

8. Finance comments

- 8.1 Financial monitoring of the capital programme is reported within the quarterly budget monitoring reports. The quarterly monitoring report can be found on separately on this agenda.
- 8.2 For condition projects, schools will be expected to use their Devolved Formula Capital (DFC) allocations to support these key priorities, in keeping with government expectations for the use of this funding. The expected contributions from schools' will be based on the agreed contribution methodology.
- 8.3 Any ongoing revenue implications will be met by individual schools through their individual budgets which are funded from the Dedicated Schools Grant (DSG).

Signed by: Alison Jeffery, Director of Children, Families and Education

Appendix A: School Modernisation Programme 2017/18 - Progress Dashboard

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Asset Management Plan files	Housing Property Services
Condition Survey Reports	Housing Property Services – Concerto database

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by:

SCHOOLS MODERNISATION PROGRAMME - PROGRESS DASHBOARD

SCHOOL MODERNISATION - URGENT CONDITION PROJECTS 2017-2018

School	Description of works	Stage 1: Feasibility	Stage 2: Design	Stage 3: Tender	Stage 4: Works commenced on site	Stage 5: Works due to be completed	Stage 5: Work complete	RAG rating Last Quarter	RAG rating This Quarter	Project variance (Comments about progress and any emerging risks to timescales or budget)
Craneswater Junior	Stonework replacement, gutter replacement and brickwork repairs to lower school			Sep-17	Nov-17 (main contract)	Aug-18		G	G	To be undertaken as part of the school expansion project, currently on site
Northern Parade	Upgrade incoming electrical supply & distribution boards			Apr-18	Jul-18	Oct-18		G	G	Delayed until the school expansion project, currently on site, had progressed further. Now on site. The work is being done in phases to minimise disruption to the school
Redwood Park	Replace hot & cold distribution		Sep-17	Mar-18		Summer 18		G	G	
Southsea Infants Lodge	Fire alarms, emergency lighting, door hold backs			Feb-18		Summer 18		G	G	Re-programmed to summer works at school's request

SCHOOL MODERNISATION - URGENT CONDITION PROJECTS 2018-2019

School	Description of works	Stage 1: Feasibility	Stage 2: Design	Stage 3: Tender	Stage 4: Works commenced on site	Stage 5: Works due to be completed	Stage 5: Work complete	RAG rating Last Quarter	RAG rating This Quarter	Project variance (Comments about progress and any emerging risks to timescales or budget)
Page 29 Craneswater Annex	Replace emergency staircase		In progress		Oct-18	Nov-18		N/A	G	Fabrication of fire escape is a time factor. In the meantime, a robust Fire Evacuation Plan is in place. Works likely to take up to 3 weeks during term time. Surveyor liaison with the Annexe and the Junior school
	Windows, lintels & repointing (east elevation) - Phase 2							N/A	G	On hold pending the outcome of discussions re the future of Craneswater Annex
	Stonework repairs and window replacements (west & south elevations)	Aug-17	Apr-18	May-18	Jul-18	Aug-18		N/A	G	
	Replace boilers, heating distribution, emitters & controls - Design only		Aug-18					N/A	G	
	Replace boilers, heating distribution, emitters & controls - Phase 1 only		Jun-18	Jul-18	Aug-18	Sep-18		N/A	G	
	Roof valleys & repairs	Aug-17	Apr-18	May-18	Jul-18	Aug-18		N/A	G	
	Roof repairs	Aug-17	Apr-18	May-18	Jul-18	Aug-18		N/A	G	
	Replace oil boilers, heating distribution, emitters & controls - Design only		Aug-18					N/A	G	

SCHOOLS MODERNISATION PROGRAMME - PROGRESS DASHBOARD

School	Description of works	Stage 1: Feasibility	Stage 2: Design	Stage 3: Tender	Stage 4: Works commenced on	Stage 5: Works due to be completed	Stage 5: Work complete	RAG rating Last	RAG rating This	Project variance (Comments about progress and any emerging risks to timescales or budget)
Wimborne Junior	Roof replacement & repointing - Phase 3	Aug-17	Apr-18	May-18	Jul-18	Aug-18		N/A	G	
Southsea Infant	Windows, lintels & repointing	Aug-17	Apr-18	Jun-18	Jul-18	Sep-18		N/A	G	
Fernhurst Junior	Gable repair	May-18			Jul-18			G	G	
Cottage Grove	Boiler replacement	Jul-18		Jul-18		Oct-18		N/A	G	Defective boiler identified an annual service. Replacement will be installed before the winter.

SECONDARY SCHOOL SUFFICIENCY SCHEMES

School	Description of works	Feasibility (RIBA Stage 1-2)	Developed Design (RIBA Stage 3)	Technical Design (RIBA Stage 4)	Works commence on site (RIBA Stage 5)	Works due to be completed (RIBA Stage 6)	Work complete (RIBA Stage 6)	RAG rating Last Quarter	RAG rating This Quarter	Project variance (Comments about progress and any emerging risks to timescales or budget)
Admiral Lord Nelson	New build extension and remodelling to accommodate future expansion of the school (+50 places per year group).	Feasibility design complete, costed and requirements agreed.	In progress			Sep-20		G	G	Proceeding as expected. Consequential works have been identified with regards to the on-site nursery and these are being addressed.
Charter Academy	New build extension and remodelling to accommodate future expansion of the school from Published Admission Number of 120 to 180 (+60 places per year group).	Feasibility design complete, costed and requirements agreed.	In progress			Sep-20		G	G	
Portsmouth Academy	New build extension and remodelling to accommodate future expansion of the school from Published Admission Number of 192 to 250 (+58 places per year group).	Feasibility design complete, costed and requirements agreed.	Completed - planning permission granted	In progress		Sep-20		G	G	

SPECIAL PROVISION SUFFICIENCY SCHEMES

School	Description of works	Feasibility (RIBA Stage 1-2)	Developed Design (RIBA Stage 3)	Technical Design (RIBA Stage 4)	Works commence on site (RIBA Stage 5)	Works due to be completed (RIBA Stage 6)	Work complete (RIBA Stage 6)	RAG rating Last Quarter	RAG rating This Quarter	Project variance (Comments about progress and any emerging risks to timescales or budget)
Redwood Park Academy	Re-modelling of school to provide places for pupils with more complex special educational needs & disabilities	Feasibility has commenced						N/A	G	
Cliffdale Academy	Re-modelling of school to provide places for pupils with more complex special educational needs & disabilities		Completed	Tender approved	On site	Feb-19		N/A	G	
The Willows Nursery	Phase 1		Completed	Tender approved	On site		Completed Jul-18			
The Willows Nursery	Phase 2	Phase 2 is at early feasibility stage						N/A	G	