

**CABINET MEMBER FOR CHILDREN, EDUCATION & FAMILIES -
19 MAY 2014**

**NEW PRIMARY SCHOOL FOR WITNEY: REPORT ON
CONSULTATION AND APPROVAL FOR SPECIFICATION OF A NEW
PRIMARY SCHOOL**

Report by Director for Children's Services

Introduction

1. West Oxfordshire District Council is developing a new Local Plan to guide development of the district up to 2031, and a significant housing development of 1000 dwellings is planned for the west Witney / north Curbridge.
2. A new primary school is required to serve the new housing development. It is expected that the new school buildings will open in 2017, but the county council is investigating the possibility of opening it in temporary accommodation elsewhere in 2016.
3. A public consultation seeking views on a draft specification for the new primary school and was held between 3 March 2014 – 13 April 2014. This report summarises the consultation, and seeks approval for the specification for the new primary school.

Background

4. Oxfordshire County Council will not run the new school. The 2011 Education Act says that all new schools are expected to be academies. This law means that they are not run by the county council except in exceptional circumstances. Instead, academies are run by independent academy trusts. These trusts can be set up by lots of different organisations, including educational specialists, employers, existing local schools, charities, religious groups and community groups.
5. Oxfordshire County Council's role is to plan for and secure sufficient school places and to find a potential sponsor for the new school. The government has set out a bidding and selection process by which new school providers are chosen. The first part of the process is to write an educational specification for the new schools in order to invite bids from potential academy trusts wanting to run it. The county council has completed a public consultation and has used responses received to it to inform the writing of the new school's specification.
6. The Cabinet meeting of 4 September 2012 approved a new process for the identification of sponsors for new academies to meet the needs of population growth such as this:

- i. Undertake a public consultation to identify the academy model to be implemented.
 - ii. Invite initial expressions of interest in running the school through DfE website set up for this purpose.
 - iii. Assess expressions of interest and then invite detailed bids from three or fewer providers to show clear plans of how they will contribute to the raising of education standards, add diversity of choice and which best fits the local requirements and meets the needs of those within groups offered specific protection under s149 Equality Act 2010.
 - iv. Assess bids against criteria and rank in order of preference. Agree a preferred option to be approved by Lead Member for Education or Cabinet as appropriate.
 - v. Submit report to Secretary of State for decision.
 - vi. Proposal developed with provider approved by Secretary of State through sharing vision of community, county and sponsor.
7. The public consultation to inform the development of a specification for the new primary school, and to hear views on school capacity strategy for the area generally, has now taken place. On the basis of this a draft specification for the new school has been developed. The purpose of this Report is to provide information on the outcomes of the consultation, and seek Cabinet Member approval to move onto the next stage of the academy process, inviting interested parties to submit outline expressions of interest to run the school, based on the proposed specification at Annex 1.
8. The expected pupil generation of the new housing in the housing development has been modeled using the council's PopCal tool, based on current knowledge about the timing of house building and the types and sizes of housing. The timing of houses could vary depending on housing market conditions.

Consultation

9. The public consultation to inform the development of a specification for the first new school was conducted by the School Organisation & Planning team 3 March 2014 – 13 April 2014:
- To gather local community views to help shape the specification of the school and choice of sponsor.
 - To act as pre-notification to potential sponsors of the future bidding rounds.
10. The consultation was publicised through the county council website and local media as well as through postcards distributed by schools, libraries and local networks. Officers held a 'Leafleting' session in Witney and delivered postcards stocks to local shops in the town centre. A briefing session was also held for local Members and for the Bicester schools' partnership.
11. 23 responses were received to the consultation. Due to the low response rate, views expressed are inconclusive and it is not possible to draw out any meaningful common theme, however 5 respondents (23%) expressed a wish for a secular school (as opposed to a faith school) while six (26%) wished for a strong community focus and a "whole child" ethos.

12. In order to secure an academy provider in good time to allow the primary school to open in September 2016 if needed, approval is now sought for the educational specification for this school, which has been informed by this consultation.

Proposed specification for the new primary school at west Witney

13. On the basis of the data available and the consultation responses, the draft specification seeks a provider for the new primary school at west Witney.
14. It is not proposed that the specification imposes restrictions on the nature of provider – e.g. faith organisations, or existing providers – given that the local consultation was inconclusive on these issues.
15. The specification includes 6 places reserved for specialist resourced SEN provision.

Next steps

16. Cabinet Member is requested to approve the draft specification attached as Annex 1 as the basis for stage (ii) of the academy provider process outlined in paragraph 6 above, the invitation of expressions of interest from potential providers. Such expressions of interest would be sought in June 2014, and short-listed by officers, with short-listed applicants invited to submit a detailed proposal by the end of September 2014.
17. A further report would be submitted to Cabinet in October 2014 to seek a decision on which provider(s) the county council wishes to recommend to the DfE for approval.

Equality and Inclusion Implications

18. Section 149 of the Equalities Act 2010 imposes a duty on the Council to give due regard to three needs in exercising its functions:
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic, and those who do not.
19. The draft specification seeks to increase equality of access to education for children with disabilities by including the provision of additional SEN provision.

Risks and mitigation

20. There is a degree of uncertainty about the precise timescale of the school's growth as it will be influenced by factors outside the county council's control, including the housing market. To mitigate against this risk, providers will be sought who are able to be flexible in how quickly the new school will grow. Providers will be specifically asked in the application process how they will

manage these uncertainties. Until a funding agreement is signed with each provider, the county council will be able to renegotiate details of timing should conditions change.

21. If the specification proves unattractive to potential sponsors, we may not be able to identify sufficient providers interested in running the school. In cases where an academy provider cannot be identified, the DfE expects to be able to assist.

Financial and Staff Implications

22. The direct financial implication of this report is the cost of the process of seeking expressions of interest, which is planned for and met within the normal CE&F budget provision. There are no significant financial implications or risks at this stage.
23. Additional revenue funding for specialist SEN resourced provision is referred to under "Supporting vulnerable learners and those with special educational needs". This funding will come from the Dedicated Schools Grant High Needs Block, and will be factored into allocation decisions for this budget.
24. Local authorities are required to make provision in their growth funds to support new schools prior to opening, to cover set-up costs, as well as during the period until the school reaches full capacity, as during this period they are not able to benefit from economies of scale. These costs will need to come from the Schools Block of the Dedicated Schools Grant, and Schools Forum will be asked to approve the allocation mechanism for such funding during 2014-15.

RECOMMENDATION

25. **The Cabinet Member for Children, Education & Families is asked to note the outcomes of the consultation on a new school for Witney and RECOMMENDED to approve the specification as the basis for seeking academy providers for the school.**

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Annex 1 Draft specification for new primary school for Witney

April 2014