

Cabinet: 22nd September 2015

Report Title: Update on the current position following the publication of the invitation to seek proposals to run a new 630 place primary free (academy) school in Huddersfield South West.

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Is it in the Council's Forward Plan?	Yes
Is it eligible for call in by Scrutiny?	Yes
Date signed off by Director and name	Alison O'Sullivan
Is it signed off by the Director of Resources?	David Smith (Debbie Hogg)
Is it signed off by the Assistant Director Legal and Governance?	Julie Muscroft (Karl Larrad)
Cabinet member portfolio	Councillor Shabir Pandor.

Electoral wards affected: Crosland Moor and Netherton

Ward councillors consulted: Yes

Public or private: Public

1. Purpose of report

To update members about the current position following the publication of the invitation to seek proposals to establish a new 630 place all-through primary free (academy) school for pupils aged 4-11 years to serve the Huddersfield South West area.

2. Background

2.1 The provision of school places to meet “basic need”

Kirklees Local Authority has a statutory duty to ensure that there are sufficient high quality school places to meet the needs of Kirklees families and communities. This is described as “basic need”. Over the last 12-13 years, the school age population in Kirklees has increased by approximately 20% from the smallest pupil age group (which is now in the secondary schools) to the current reception and pre-school age groups. A similar pattern is repeated in most urban authorities nationwide. One of the areas where there is a need for school places is in the Huddersfield South West area.

Following a series of collaborative discussions between Kirklees Council and a strategic group, representative of providers in the South West Huddersfield area and following exploration in outline of what is technically possible and affordable, the proposal to establish a new 630 place primary free (academy) school in Huddersfield South West has been developed.

The proposal would enable sufficient primary school places to be available in order to meet the basic need in the Huddersfield South West.

3. Update on invitation to seek proposals to establish a new 630 place primary free (academy) school for pupils aged 4-11 in Huddersfield South West

On the 24th March Kirklees Council Cabinet authorised officers to develop plans for consultation about a proposal to establish a new 630 place primary school in a new building using part of the Moor End Academy site. (Moor End Multi Academy Trust has given their agreement in principle for part of the site to be utilised for this purpose).

- to cater for pupils aged 4 to 11
- with a PAN of 90 for 4-11 year olds, providing 630 primary school places.

The Council carried out a non-statutory consultation between April and June 2015 on this proposal in order to seek the view of key stakeholders and to gain feedback to inform the decision on the formal publication of an invitation to seek proposals from Department for Education (DfE) approved proposers.

The outcomes of this consultation were reported to Kirklees Council Cabinet on the 30th June and Cabinet authorised officers to proceed to seek invitations from proposers to run a new primary free (academy) school for Huddersfield South West. This process commenced on the 14th July. Officers have liaised with the DfE over publication of the invitation to seek proposals and followed relevant DfE guidance in the development and publication of these proposals.

The period for the invitation to seek proposals ended on the 24th August. The Council received one proposal. The proposal received has been reviewed against the Council's published assessment criteria, following this process a recommendation has been sent to the DfE.

New free (academy) school proposals are decided by the Regional Schools Commissioner (RSC), on behalf of Secretary of State for Education. DfE advice states that the Council should await the Regional Schools Commissioner's decision before formally making public the outcome of any assessment.

4. Implications for the Council

4.1 HR Implications

There are no human resource implications for the Council. As the employer of staff in the new school, the proposer to be appointed by the Regional Schools Commissioner would have the responsibility to develop a staffing structure to deliver the planned curriculum of the new school.

4.2 Financial Implications

4.2.1 Revenue Budget

The Council's Dedicated Schools Grant allocation would be used to provide funding to address the revenue costs of the new free (academy) school. This amounts to annual per pupil revenue funding allocated in line with the established local formula for funding schools and academies, pre-opening development costs and post-opening funds required to address the diseconomies of scale that would be present until the school has grown to its intended number of year groups. The Council is expected to work with the selected proposer to agree a reasonable and mutually acceptable funding plan to cover the pre and post opening

costs. In addition, the successful proposer will receive a one-off grant payment of £25,000 towards the legal costs associated with establishing the new free (academy) school.

4.3 Capital

There are direct capital implications, should this proposal be approved for implementation by the Regional Schools Commissioner. The Council is responsible for providing a site for the proposed new school, and meeting all the associated capital costs.

There are sufficient capital allocations within the Council's approved capital investment plan to deliver the outcomes of the proposal if approved (i.e. the new build school and the temporary arrangements). From the formative work that has been completed so far, indicative costs for the new school building are around £11M.

Members should be asked to authorise officers from Physical Resources and Procurement to work on the required capital project and to report back to Cabinet with detailed proposals in 2016.

5. Consultees and their opinions

The Council carried out a non-statutory consultation on the proposal to establish a new 630 place primary free (academy) school for pupils aged 4-11 in Huddersfield South West as described in section 3 of this report. The outcomes of this consultation were reported to Cabinet on the 30th June.

Following the decision by the Regional Schools Commissioner, the successful proposer will be required to carry out further consultation with key stakeholders on the new primary free (academy) school to establish whether the proposer should enter into a funding agreement with the Secretary of State.

6. Next steps

Set out below are the next stages of the process to establish the proposed primary free (academy) school including indicative timescales and next steps that are subject to decision making.

- September/October 2015 Regional Schools Commissioner decision
- October/November 2015 Successful proposer carries out a public consultation on whether they should enter into a funding agreement for the proposed new school with the Secretary of State.
- November 2015-August 2016. Pre-opening processes.
- From 1st May 2016 Implementation.
- Pupil places being available from 1st September 2016.

7. Officer recommendations

a. note that one proposal has been received which has been reviewed in accordance with the Council's published assessment criteria and that a recommendation has been made to the DfE.

b. acknowledge that new free (academy) school proposals are decided by the Regional Schools Commissioner on behalf of Secretary of State for Education.

c. Subject to approval of the proposal by the Regional Schools Commissioner, authorise officers from Physical Resources and Procurement to work on the required capital project and to report back to Cabinet with detailed proposals in 2016.

8. Portfolio Holders' recommendation

We are committed to ensure that there are enough high quality learning places available to meet demographic growth which is why the Council invited proposals to establish a new school for the Huddersfield South West Area. We acknowledge that the final decision about the successful proposer for this school is a decision that is made by the Regional Schools Commissioner; however, it is important to explain that the council has received one application in response to the invitation that was published in July. As soon as the outcome is known, we will want to ensure that this is communicated with local stakeholders, particularly families in Huddersfield South West area.

For these reasons we support the officer recommendations and acknowledge that further updates will be brought to Cabinet in due course.

9. Contact Officers

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Assistant Director responsible

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10. Background Papers

- **Cabinet Report 30 June 2015** Report on the outcomes from the statutory consultation for members' consideration on the proposal about primary pupil places in the Huddersfield South West
- **Cabinet Report 24 March 2015** Primary pupil places in the Huddersfield South West area
- "Securing sufficient school places to enable access for children and young people to an excellent local education system". Kirklees May 2013 and June 2014