

NORTH LINCOLNSHIRE COUNCIL

CHILDREN'S SERVICES CABINET MEMBER

LAKESIDE - PROPOSED NEW SCHOOL

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To update on the process of establishing a new maintained mainstream primary school.
- 1.2 To seek approval for the council to enter the competition process to run the new primary school at Lakeside, Scunthorpe.

2. BACKGROUND INFORMATION

- 2.1 The business case for a new primary school at Lakeside development was approved as part of the Capital Programme 2008-11.
- 2.2 The new school, known as Lakeside Primary School, will eventually provide 210 places, which will be built in two phases. It is anticipated that the school would be open in September 2012, providing 90 places, with a further 120 places being available from September 2014.
- 2.3 The Lakeside development falls within the catchment area of Brumby Engineering College and the additional demand for secondary school places has been allowed for within the Building Schools for the Future Programme.
- 2.4 In situations where a local authority needs to establish a new school, and in accordance with Section 7 of the Education Inspection Act 2006 and The School Organisation (Establishment and Discontinuance) (England) Regulations 2007, they are required to invite organisations or proposers to run the school. Proposers might be parents' groups, education charities backed by business or community or voluntary or faith sector bodies. In addition, the local authority can also decide to enter the competition.
- 2.5 In order for the council to submit a bid, permission must be given from the Secretary of State. An application was made to the Secretary of State for approval to enter the competition, should the local authority decide to do so. Approval for the council to make a bid was received on 14 January 2009.

- 2.6 The process which is undertaken to seek and appoint a proposer is referred to as a 'competition'. This ethos is underpinned in The Schools White Paper 'Higher Standards, Better Schools For All' 2005 which lays out the vision for local authorities to become powerful champions of parents and pupils in their area, commissioning rather than providing education. The Education and Inspections Act 2006 gave the necessary powers to enable this. It also places a duty on councils to take on a new strategic role to promote choice and diversity. This includes ensuring that there are different types of school in an area.
- 2.7 In order to facilitate the competition process and ensure impartiality, the local authority is required to use a DCSF approved consultant who will market a competition to potential proposers and will help engage the local community in the competition. The regulations require that local authorities must consult with, and have regard to the advice of, the department's consultants when running a competition.
- 2.5 An initial consultation with stakeholders has taken place during July to September 2008, to seek views about the specification for the school, the type of school and to explain the competition process the council has to undertake before the school can be established (details provided in paragraph 7).
- 2.6 If a local authority decides to submit a proposal, then, for reasons of impartiality, the schools adjudicator will select the preferred submission. Alternatively, if the local authority decides not to submit a proposal, then the local authority becomes the decision maker.
- 2.7 The timetable for the past and future events relating to the competition is as follows:
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| 9 th January 2009 | 1 st Public notice published inviting proposers to submit proposals (closing date 11 th May) |
| 4 th February 2009 | DTW (DCSF appointed consultants) host seminar for potential bidders |
| 11 th May | Closing date for first public notice |
| 29 th May | 2 nd Public Notice: To provide details of proposers' submissions and to inform public how to object or send comments on the proposals. Closing date 10 th July |
| 10 th June 2009 | Public meeting chaired by DTW (consultants) – Proposers to make presentations and provide a forum for questions and answers. |
| 10 th July 2009 | Closing date for receipt of comments |
| 10 th September | Decision to be made on preferred proposer (if LA determine) |

Timescale not determined, if School Adjudicator is the decision maker

3. **OPTIONS FOR CONSIDERATION**

Option 1

- 3.3 That the council submits a bid to run the new school as a community maintained school.

Option 2

- 3.4 That the council does not submit a bid to run the new school.

4. **ANALYSIS OF OPTIONS**

4.1 Option1: Local Authority Make a Bid

- 4.1.1 By submitting a bid would give the council the opportunity to be selected as preferred bidder to run the school.
- 4.1.2 A key message from the feedback at consultation was that the public would prefer a council run school.
- 4.1.3 In making a bid, the decision making is made by Schools Adjudicator. They are not prescribed a timescale for making a decision. This could lead to delays and uncertainty of updating key stakeholders.
- 4.1.4 As this competition process is relatively new, there is not sufficient history of outcomes of other competitions that have been undertaken around the country, so it is difficult to draw any themes from the schools adjudicator judgements.

4.2 Option 2: Local Authority Does Not Make a Bid

- 4.2.1 If the council does not submit a bid, then the selection of preferred bidder is done by the council. This may enable a choice of provider whom we are confident in having a relationship with and delivering the required outcomes for children, young people and their families.
- 4.2.2 Local authorities must make a decision on the preferred bidder within 8 weeks. Where the Local Authority does not submit a bid, then they become the decision maker on submitted bids. This would guarantee a decision with eight weeks.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 The total cost approved within the Capital Programme is £3.84m, with developer contributions funding £1.75m over six years. The net cost to be funded from council resources is £2.09m.
- 5.3 Based on the DCSF formula, to build the required size of school, the estimated build cost is around £2.57m. This does not cover funding of furniture and equipment or any 'abnormals'. The amount in the capital programme allows for the cost of these plus contingencies. In addition the capital programme allows for the fact that the school would be built in two phases. The Basic Need calculation assumes 210 places delivered in one phase.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

- 6.1 The procedures for the establishment of a new maintained mainstream school were updated within The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007.
- 6.2 Local Authorities are under a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's potential. They must also ensure that there are sufficient schools in the area and promote diversity and increase parental choice in accordance with the Education and Inspections Act 2006.

7. OUTCOMES OF CONSULTATION

- 7.1 The parents, pupils, governors and staff at Grange Lane Infants, Grange Lane Juniors and Holme Valley Primary School have been consulted in the initial phase. In addition, the MP's for the area, ward Councillors, the Dioceses have been consulted. The wider public were consulted through the Direct magazine and a Public Meeting was held in September.
- 7.2 Aspects of the consultation feedback relating to the competition process concluded that the public would like to see a community maintained school as opposed to a school maintained by another body e.g., foundation, trust as they felt it would ensure the school would cater for the Lakeside population

8. RECOMMENDATIONS

- 8.3 That based on the consultation feedback from the public, that the Cabinet Member approves option 1 and submits a bid.
- 8.4 In addition to approving option 1, that the Cabinet Member welcomes and supports bids from other organisations in line with the Education and Inspections Act 2006.

SERVICE DIRECTOR CHILDREN, STRATEGY AND PARTNERSHIPS

Hewson House
Brigg
DN20 8XJ

Author: Becky McIntyre

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Background Papers used in the preparation of this report:

Establishing a New Maintained Mainstream School – A guide for Local Authorities
The Schools White Paper 'Higher Standards, Better Schools For All'