

Subject:	Proposal for development of a new secondary school in Brighton and Hove		
Date of Meeting:	19 March 2015		
Report of:	Executive Director of Children's Services		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

By reason of the special circumstances, and in accordance with section 100B(4)(b) of the 1972 Act, the Chair of the meeting has been consulted and is of the opinion that this item should be considered at the meeting as a matter of urgency for the following reason: that the University of Brighton Board of Governors has requested in a letter received on 5 March 2015 that the Committee consider the proposed sponsorship arrangements for a secondary free school at this meeting as they require a definitive in principle signal of support from the Council for the proposed school and for the University's sponsorship arrangements before committing to the detailed work required to prepare an application.

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The purpose of this report is for the Committee to consider a request from the Board of Governors of the University of Brighton that the Council provide a definitive in principle signal of support for the proposed secondary free school and for the University's sponsorship arrangements before the university commits to the detailed work required to prepare an application to the Department for Education (DfE).

2. RECOMMENDATIONS:

2.1 That the Committee notes the information in this report and resolves to inform the University of Brighton of its in principle support for the university's proposal to submit an application to develop a secondary free school in the city.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The Brighton & Hove School Organisation Plan 2013 – 2017 (SOP) adopted in March 2014 identifies a headline need over the five year plan period and beyond for 300 additional secondary school places per year group (ten forms of entry) across the city, equivalent to a large secondary school with 1500 students aged 11 -16.

- 3.2 A strategy for securing additional secondary places has been developed through the City Council's Cross Party School Organisation Working Group which includes the lead members for Children's Services for each of the party groups and with a partnership group of all ten secondary heads and principals (including the academies and free school), the three colleges, the University of Brighton and the University of Sussex.
- 3.3 The strategy consists of three elements, which are inter-related and are being taken forward concurrently:
- Ensuring that existing places in all schools are filled as far as possible
 - Considering the expansion of existing schools
 - Considering opportunities for new schools or satellite sites of existing schools

A key consideration throughout has been to ensure as far as possible that any new provision complements improvement in those schools with spare places.

- 3.4 It is clear that this level of additional demand is unlikely to be met simply through expanding existing schools, several of which are already very large. A new school provides the best means of securing a significant part of the new places that are required.
- 3.5 Under current government policy any new school must be an academy or a free school. The Local Authority does not have the power to open a completely new school. The routes for securing a new school are either through the local authority inviting proposals from prospective sponsors or promoters or through a free school proposal being submitted in the periodic 'Waves' in which the DfE invites proposals for new free schools.
- 3.6 Arising from the partnership working mentioned in paragraph 3.2 above, the University of Brighton has put forward the proposal that it is prepared to be the promoter of a new secondary free school. The university already has Academy Trust status recognised by the DfE and through the Hastings Academies Trust is the lead sponsor of two secondary academies and seven primary academies in Hastings and St Leonards, working closely with East Sussex County Council which is a co-sponsor. More recently it has developed the University of Brighton Academies Trust and is the sponsor of four opening primary academies in West Sussex. The university has one of the largest Schools of Education in the country. The School of Education staff know and understand the Brighton & Hove context well through close work over many years with the schools and the authority. This extensive partnership work with schools and the authority provides a strong basis for the development of a school which shares a commitment to city wide excellence in education.
- 3.7 The university's proposal was discussed at a meeting between the Vice Chancellor, Professor Julian Crampton and the Executive Director of Children's Services on 11 February 2015. At this meeting the Executive Director provided a letter signed by the Leaders of the three party groups (Appendix 1) welcoming the university's interest in being a potential sponsor of a new secondary school in the city and stating that they would be very interested in supporting the university to develop its proposal further. The Vice Chancellor agreed to take the proposal to his Board of Governors on 27 February 2015.

- 3.8 At its meeting on 27 February, the Board of Governors concluded that it was supportive in principle of the development of a free school, noting its fit with the University's overall strategic developments and regional & community commitments. However, there were two key points of concern.
- 3.9 Firstly, the Board felt very strongly that there should be a definitive in principle signal of support from the Council for the proposed school and for the University's sponsorship arrangements, prior to taking forward the application process. They requested that this should be considered at this 19 March 2015 meeting, prior to the deadline for submission of free school applications to the DfE in May and so that the university could have greater confidence in committing the resources required to submit an application.
- 3.10 Secondly, the Board noted the comprehensive free school application process, which includes detailed curriculum, staffing and financial planning information. There would be limited time and resources to complete this, with a final deadline of 29 May. The Board therefore requested discussion about the support and resources which may be available from the Council to support the preparation of the application about the feasibility of a May submission.
- 3.11 The capital costs of free schools approved by the Secretary of State are normally met by the DfE, as is the case in Brighton & Hove with the Bilingual Primary School and King's School. In this case the proposed school development meets the needs of the city for additional school places. The Council has been notified of basic need capital grant allocations for the period 2015/16 to 2017/18 amounting to £36.0m and while part of these allocations will be required for other projects it is estimated that sufficient funding would be available to complete the project.
- 3.12 The example of King's School demonstrates the challenges in identifying sites for new schools in the city. A potential opportunity to secure a site within Brighton has arisen and this is being actively discussed with the owner of the site, but its location remains confidential while the owner reviews its property strategy. The university is aware of this opportunity and the Council would work with the university in securing the site.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The Council could seek proposals from other potential sponsors or promoters for an academy or free school. Reasons for not pursuing this route include the additional time required to advertise the requirement for a new school and the fact that the University of Brighton is an established Academy Trust with a track record of developing schools and a good understanding of the city's values and the improvement challenges that exist.
- 4.2 Alternatively, there could be further expansions of existing schools. This is part of the three strand strategy described in paragraph 3.3 and is likely still be part of the mix of additional capacity to be provided. However, many of the existing schools are large and have little or no spare capacity for further development, Achieving a significant increase in the places available in this way before the new places are needed will be difficult.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 No consultation has been carried out at this early stage of the development of this proposal, other than discussion through the groups referred to in paragraph 3.2.

6. CONCLUSION

- 6.1 There is a need for new secondary school places in the city and currently any new school must be developed through the academy or free school routes. The lead time for developing a new secondary school is rarely less than three years. The University of Brighton has a strong track record of developing academies and would be well placed to transfer this expertise to the development of a free school, which in legal terms is an academy. It is therefore recommended that the Committee welcomes the university's proposal to submit a secondary free school application and declares its in principle support for it.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Our understanding is that any capital funding for free schools is provided by the DfE, as it has done for the Bilingual Primary School currently based at Brighton Aldridge Community Academy and soon to relocate to new premises at the former Hove Park Depot site, and for King's School at its present temporary site in Portslade and when it moves to a permanent site. These are currently the only free schools operating in Brighton & Hove. Should the DfE in future decide that any new free school which provided basic need places required by the authority should be funded in part or in whole from the authority's basic need capital grant allocation, then the Education Capital Programme report on the agenda of this meeting identifies £10m for new secondary provision in the period to 2016/17 and additional unallocated basic need grant for 2016/17. The DfE has also announced a basic need grant allocation for Brighton & Hove in 2017/18 of £11.4m.

Finance Officer Consulted: Andy Moore

Date: 12/03/15

Legal Implications:

- 7.2 The provision of places in a newly established free school would assist the Council in fulfilling its statutory duty under section 14 of the Education Act 1996 to secure the provision of sufficient school places for secondary school age children in its area.
- 7.3 The statutory basis for setting up a Free school is set out in sections 9 and 10 of the Academies Act 2010. An application must be submitted to the Secretary of State who will then carry out an assessment process which will include seeking the views of the potentially affected local authority on the likely impact of the proposed school on existing educational institutions. If the application is approved the proposer will be then obliged to carry out a consultation process with such persons as the proposer 'thinks appropriate'.

Lawyer Consulted:

Serena Kynaston

Date: 13/03/2015

Equalities Implications:

- 7.4 At this early stage of the development of this proposal, no Equalities Impact Assessment has been carried out.

Sustainability Implications:

- 7.5 Were the proposal to be implemented, it would provide local, accessible places for secondary age children in the city and its buildings would be developed in accordance with current environmental standards.

Any Other Significant Implications:

- 7.6 Ensuring there are sufficient secondary school places is a priority in the Council's Corporate Plan and the Children's Services Directorate Plan, contributing to the aim that all children and young people have the best start in life.

SUPPORTING DOCUMENTATION

Appendices:

1. Letter to Professor Julian Crampton, 11 February 2015

Documents in Members' Rooms

1. None

Background Documents

1. None