

Committee(s)	Dated:
Community and Children's Services	11/12/2015
Subject: Update report on Sir John Cass's Foundation Primary School Expansion	Public
Report of: Director of Community and Children's Services	For Information

Summary

This report is to inform Members of the lack of progress on the proposal to expand Sir John Cass's Foundation Primary School to a two-form entry (2FE) school, following a decision at the Sir John Cass's Foundation Board (the Foundation) held in October 2015 to once again refuse to grant a licence in order for the school to expand.

The proposal to expand Sir John Cass's Foundation Primary School to a 2FE was first raised at the full governing body meeting of the school on 27 March 2013, the expansion being seen as a way in which the school would continue to be an outstanding school, providing more places to the local community, and to meet the City's statutory duty as a local authority to ensure sufficient primary school places for City residents.

Since the Community and Children's Services Committee last received an update report on 12 June 2015, where it was informed that the Foundation had resolved not to give its consent to grant a licence to build, thereby stopping the proposed expansion, a question was asked at the Court of Common Council on 25 June 2015 raising concern about the provision of primary school places in the City. In response, the Chairman of Community and Children's Services expressed his frustration and surprise at the Foundation's decision and the Chairman of the Policy and Resources Committee agreed that it would be appropriate for his Committee to commission independent advice on this matter and advise on possible ways forward.

Following this the Town Clerk and Director of Community and Children's Services have met with the Clerk and Trustee representatives from the Foundation in a continued effort to seek clarity on any concerns the Foundation has over the expansion of the school and to seek to address these concerns. Despite two ostensibly positive meetings with the Town Clerk and extensive information being provided to the Foundation to address the issues it has raised (the remaining issue being the case for need/demand) the Comptroller received a letter from the Foundation's solicitors on 9 November 2015 reaffirming its decision not to give its consent to grant a licence to build, or to give the 10% contribution towards capital costs.

The letter stated that Amongst its reasons, the Foundation is of the view the case based on need/demand from city children is not sufficiently made out; and it is concerned, against the background of its obligations to protect the Foundation assets and their use, about the potential adverse effect that the proposed expansion and building works will have on its ownership of the school site.

The Comptroller has since written to the Foundation seeking clarification on its reasons for not granting a licence to build. Although the case for need/demand should not be a concern of the Foundation given it has no financial impact on the Foundation as the funding for the running of schools is provided by the Dedicated Schools Grant, the City has sufficiently answered this concern, already accepted by the EFA as evidenced by its funding for school places, and data such as the increasing birth rate in the City. It is difficult to comment on how this point can be otherwise addressed. The concern about the Foundation wishing to protect its assets is a new one. As it has not been stated before clarification would be helpful, particularly given its role and interest as the foundation for the school. It would also be very helpful to receive clarification on any other reasons the Foundation may have for objecting to the school's expansion in order for the City to address any further concerns.

Given the considerable amount of time already taken to get to this point, the City will need to consider what next steps should be taken to mitigate the risk of not meeting its statutory duty to secure sufficient primary school places in the future. The opportunity to expand the school from September 2016 will not now happen in the timescales available. The Department will also be exploring options with the EFA to ensure it can retain the funding already allocated to the City to support the expansion.

In the short term the City has requested of the school governing body to operate a bulge Reception class in September 2016, given early indications from the change in the school's Admissions Policy, adding an Admissions Priority Area criterion covering the whole of the City, has generated an even greater interest from City parents in the school, from areas where there has previously not been applications.

The governing body for the school agreed to this request unanimously at its full governing body meeting held on 25 November, as well as unanimously once again reaffirming its commitment to become a two form entry school.

Recommendation(s)

Members are asked to note:

- the opportunity to meet the likely demand for school places in the City by expanding the school to a 2FE for September 2016 will now be missed;
- there is a risk of the City not being able to fulfil its statutory duty to ensure sufficient primary school places for City residents.

Background Papers

Reports to the Community and Children's Services Committee:

Education of primary-aged children, 11 October 2013

Provision of affordable homes and additional nursery and primary school places, 13 December 2013

Demand for primary school places, 14 March 2014

Sir John Cass's Foundation Primary School Expansion, 26 November 2014

Update report on Sir John Cass's Foundation Primary School Expansion, 12 June 2015

Minutes of the Court of Common Council, 25 June 2015

Minutes of Community and Children's Services Committee, 9 October 2015

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