

# School organisation principles

**General principles and factors which will guide decisions on school organisation**

June 2022

EALING COUNCIL

<b>Background.....</b>	<b>2</b>
<b>General principles.....</b>	<b>6</b>
<b>Further information.....</b>	<b>8</b>

## Background

1. The Council has a duty to ensure that sufficient places are available in their area in terms of number, diversity in provision and increasing opportunities for parental choice. This applies to primary and secondary schools in Ealing but does not apply to early years and special schools. This duty applies irrespective of whether the local authority (LA) maintains any schools in a particular sector.
2. The most frequent question that schools and other interested parties ask about school places is “What’s the local authority is going to do about it – “it” meaning, a shortage of certain categories of schools or surplus of places.
3. The purpose of this note is to set out the:
  - local authority’s role and the principles that guide its decision-making in respect of maintained schools.
  - role of the local authority in making proposals to other bodies that have decision-making powers around school places including other Councils, governing bodies, Trusts and government agencies. This is because the local authority is not the sole provider of places.

The [school organisation statutory guidance](#) sets out which organisations can propose changes and those that can make decisions.

4. In respect of state funded schools in Ealing, Table 1 below shows the range of providers. In exercising its functions, the Council has and will continue to aim to have constructive relationships with all types of providers in the borough.

**Table 1: State funded schools in Ealing, 2021/22**

	Nursery	Primary	High	All-Age	Special/PRU	Grand Total
Community school		47	1			48
Foundation school			5			5
Voluntary aided school		12	1			13
Academy converter		2	4			6
Academy sponsor led		4	1	1		6
Free schools		2	4			6
Community special school					6	6
Local Authority Pupil referral unit					2	2
Local authority nursery school	4					4
<b>Grand Total</b>	<b>4</b>	<b>67</b>	<b>16</b>	<b>1</b>	<b>8</b>	<b>96</b>

5. With regards to other Councils and cross border movement, in primary the imports from and exports to other boroughs broadly balance, 9% and 8% respectively. For secondary (11-15) we are one of the largest exporters of children in London; in January 2021 the import/exports were 11% and 24% respectively. With regards to other providers, in providing places for children needing specialist placements there is a long history of school places being provided by non-maintained and independent schools (both in and out of the borough) particularly for low incidence high-cost places.
6. The LA can itself make decisions and seeks to guide other decision makers to tackle school organisation issues through:
  - **Democratic and Legal Mandates.** Although we are not the sole provider or decision maker, being the democratically elected body for the area and having a legal duty to secure places, the LA has a legitimate key role to advise and work with other providers on their plans. For example, we do this by working with London LAs, Diocesan Bodies, DfE, Regional Schools Commissioners and a range of current and potential providers.
  - **Projection of pupil numbers in small areas.** The LA is responsible for returning to DfE school roll projections for primary and high schools on a rolling basis as part of the annual School Capacity (SCAP) return. These are produced in the summer term each year by single age groups and planning areas. A five-year projection for primary and 7 for high school age groups is published. A commentary on the projections is also produced and the key messages are presented to cabinet annually in October. In Ealing we have 9 primary planning areas and 4 for high schools. We also share projections with our neighbours. For the published projections we use past retention ratios. For longer time frames when considering the impact of developments, for example, we use projections produced by the Greater London Authority (GLA). We also make SEN projections of children with EHC Plans. It should be noted that all projections tend to use recent past trends. They cannot fully take account of sudden rapid changes such as we experienced with EU expansion in the early 2000s, and more recently Brexit and the COVID pandemic.
  - **Changing planned admission numbers of primary and high schools.** This is done through school admission arrangements such as a reduction in planned admission numbers in the admission year. This process takes time. A very compelling case to reduce PANs at oversubscribed schools would need to be made as this would restrict meeting parental preferences. Decisions need to stand up to any challenge to the adjudicator. Advantages of reducing PAN include:
    - i keeping a geographical spread of schools across an area;
    - ii securing a sustainable budget;
    - iii stabilising pupil numbers for a predictable class structure; and
    - iv providing more certainty for staff retention and avoiding unplanned redundancies.

The Admissions Code timetable for changes to admission arrangements, including PANs, is set out in table 2:

**Table 2: Admissions code timetable for changing admission arrangements**

Example timeline	Dates	Example Academic Year
Consultation on changes	1 Oct to 31 January	2022/23
Determination of admission arrangements	by 28 February	2022/23
Applications Made	From September	2023/24
Offer Days	In March and April	2023/24
Children admitted to admission years	In September	2024/25

Temporary (up to 3 years) or permanent increases up to 25% of a schools planned admission number capacity or 200 (whichever is the lesser) do not require statutory proposals.

Decisions on PAN reductions where the LA is the admission's authority, and responses to consultations for schools where the LA is not the admissions authority, are made based on future demand projections. If actual demand is higher and there is a need for the places to meet basic need, where surplus accommodation remains, there would be an expectation that the governing body would agree to the creation of a bulge class and / or an increase in the PAN.

- Non-Admission Year Group Arrangements.** Formal PANs only apply to entry year and schools can informally cap other year groups (in agreement with their admission authority) where there are sufficient places overall in the area. Schools where the LA is not the admissions authority would also be expected to consult with the LA before making such changes. Parents, of course, retain the right to appeal refusal to admit.
- Encouraging partnerships and Federations.** We encourage and support schools to work more closely together by sharing resources and expertise. Such arrangements can be agreed between schools on a modest scale for discrete functions using Service Level Agreements. Alternatively, two schools can embark on a more substantial partnership via a shared partnership governance committee. These partnerships may begin with the appointment of a shared Executive Headteacher but then be developed over time as "hard federations" comprising a single governing body and further shared staffing arrangements.
- Making significant changes to a school/academy.** For example, changing the age range, increasing the capacity of a school/academy, making changes to the places and needs provided for by special schools. It should be noted that for nursery classes attached to a primary or infant school, completely closing or opening the provision of nursery classes is

considered a significant change in the character of a school as the age range changes by a year. Reducing the number of places or changing classes from both sessions to only offering morning or afternoon is not a significant change but has to be agreed with the responsible body for the school. For community schools this is the LA. Other responsible bodies should consult the LA before taking such steps.

- **Opening new schools.** There is a presumption that new schools will be academies (free schools). In the case of special schools, the DfE encourages LAs to work together to specify their requirements and seek providers to propose new free schools to meet the need. Decisions on new free schools are made by the DfE through Regional Schools Commissioners.
- **Closing schools, including amalgamation.** There is a presumption against closing nursery schools. This does not mean nursery schools cannot be closed but the case has to be strong. Closing nursery classes attached to schools is dealt with a significant change. Closing schools permanently is a last resort, amalgamating separate infant and junior schools, where that makes sense, is an approach the LA has used.

## 7. ‘Opportunity for all’ White Paper

On 28 March the Government published the [‘Opportunity for all’](#) White Paper. The White Paper sets out proposed reforms to the education system focussed on providing an excellent teacher for every child, delivering high standards of curriculum, behaviour and attendance, targeted support for every child that needs it and; a stronger and fairer school system. The paper sets out a vision for an all-trust system that places oversight of school improvement directly with trusts by 2030. The paper also allows for local authorities to establish Multi-academy trusts (MAT)s, the detail on this has not been published. An explanatory note is expected in the coming months.

The Regional Schools Commissioner has emphasised a slow and careful planning process and the DfE is not expecting a rush towards setting up large scale MATs and has suggested that a test and learn approach may be adopted. With this in mind, it will be important for school leaders and governors to take their time in exploring long term options. The LA will begin engaging a range of stakeholders including (but not limited to), maintained school leaders, governors, families and communities, standalone academies and multi academy trusts, diocese, regional schools commissioner RSC, Ealing Learning Partnership ELP.

Local authorities’ duties in relation to place planning will remain and develop with this change in approach to ensure sufficiency and fair access. [Research into how local authorities are ensuring sufficient places and supporting vulnerable children](#) has been undertaken by Isos Partnership and published by the Department for Education DfE in March 2022. It sets out the suggested LA role, and how it might work with other decision making bodies (such as academy trusts) to ensure sufficiency and support to vulnerable students. This broadly aligns to current practice and expectations in Ealing due to strong partnership arrangements.

## 8. SEND Review (Green paper).

On 29 March, the Government published the [SEND Review: Right support, right place, right time](#), a consultation on the special educational needs and disabilities (SEND) and alternative provision system in England. The consultation sets out proposed reforms to the SEND and alternative provision (AP) system that seek to address three key challenges:

- poor outcomes for children and young people with SEN or in alternative provision
- navigating the SEND system and alternative provision is not a positive experience for children, young people, and their families and;
- despite unprecedented investment, the system is not delivering value for money for children, young people and families.

While the green paper is at an earlier stage in the process to becoming legislation, the LA and schools approach to responding to the white and green papers must work hand in hand to ensure the needs of all children and met. Sufficiency, inclusion and support for vulnerable pupils continues to be a key priority, and the LA is developing a SEN Sufficiency Strategy, as part of the Ealing joint Strategy for SEND 2022-2026.

## General Principles

### Quality of education and provision for all pupils

9. Local authorities have a duty to promote educational excellence. Decisions to expand or reduce school places must be made in the context of school standards and the capacity of schools to continuously improve. The quality of leadership and governance will be key to all decision-making.

### Parental, pupil and community opinion

10. In proposing changes to school organisation we will listen carefully to parents, pupils and the community. Listening is more than responding to those who are able to make their voices heard. We will take account not only of responses to consultation processes but of such evidence as parental preference for schools, as illustrated through admissions data, and trends in admission appeals and informal feedback from customers as well as formal surveys. Changing school organisation often generates conflicting views and opinions. We will aim to clearly explain the reasons for any proposal, why we agree or disagree with views expressed, and the basis for the decisions we make. Meetings of the Cabinet, which makes decisions on changes to schools where the LA is the admissions authority, are open to the public.

### Working in partnership

11. Councils work in partnership with a range of providers and decision makers. Although we may not always agree with each other, we are committed to listening and working closely with all our partners to ensure that pupils and students in Ealing have access to high quality education and, as far as possible, take account of parental preferences.

## **Impact on the wider system**

12. We expect all providers and decision makers, including governing bodies, to take account of the wider impact on schools in the system as well as their own legitimate goals, aspirations and interests when seeking to reduce or expand places. We also expect that they will demonstrate how they have taken account of the wider impact of their proposals.

## **Special educational needs**

13. The LA is committed to developing and supporting further a more inclusive system. We will do this by making appropriate full-time provision within or attached to mainstream schools and continuing to develop links between specialist provision and primary and high schools so that mainstream are better able to meet the increasing complex needs. Specialist provision within or outside the borough will continue to have an important part to play in the education of children with more complex needs. We will seek to work with other LAs to attract new school providers to meet growing needs.

## **Size of provision**

14. In Ealing, there are very successful large and small primary, high and special schools. We are not fixed in our view on the size of schools, although would generally expect primary schools to be between 1 and 4 forms of entry and secondary schools to be between 6 and 10 forms of entry. We recognise there may be challenges to delivering a full curriculum offer with limited resources in small schools or in schools with significant vacancies. They may find it is more sustainable to share key staff and resources or be part of a partnership. Rather than size alone, important factors are:
  - financial sustainability;
  - sustainability of good quality leadership and governance;
  - quality of provision for the diverse and special needs of pupils;
  - meeting parental preferences;
  - being proactive and responsive in addressing community cohesion

## **Level of surplus places**

15. In managing capacity, we appreciate that surplus place statistics are one of a number of important factors we need to take into account in planning school places. In reviewing capacity, we will need to consider other issues including the needs of the curriculum and any specific factors such as the suitability and organisation of the existing accommodation. Some surplus places will be required to facilitate the management of the system, particularly in relation to casual admissions that occur after the normal admission times in schools and it is important that there is flexibility to respond to future demographic change. In cases where a school building is in a reasonable condition, we may be able to remove places by converting rooms for community or other uses.

## Regeneration and social inclusion

16. Schools are part of a range of facilities provided for local communities. We will actively seek to link school planning to other initiatives to ensure that school planning complements or is integrated with other initiatives such as education and care, health and social services plans and estate regeneration.

## Environmental Impact

17. Buildings have a significant impact on land use, transport and the environment. Future plans will need to consider fully the opportunities offered by information and communication technology, modern building design and environmental planning to reduce the impact education services have on the environment.

## Further Information

### 18. Statutory Guidance

[School organisation - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

### 19. LA data and publications

- The LA submit capacity and forecasts information by planning area and year group to the DfE annually each July via the School Capacity (SCAP) return. This information is published annually in the following March [Statistics: school capacity - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- An Update on School Places is provided to [Cabinet](#) annually in October
- An individual School Place Planning Report is produced for each school annually in September and made available via the school reports section on their [EGFL](#) school page. This report includes trend and projection data at school, planning area and borough level.
- LA officers also provide regular school places updates to head teacher representative groups.
- Schools can access live data on their admissions applications and offers via the Synergy school access module (SAM).

### 20. Key contacts

Joanne Bradley	jbradley@ealing.gov.uk	Changes to PANs and informal changes to non-admission year groups
Kim Price	kprice@ealing.gov.uk	Pupil forecasts, financial sustainability
Sandeep Sahota	sahotasa@ealing.gov.uk	Changes to nursery provision
Tom Lindsay	tlindsay@ealing.gov.uk	Statutory processes and school partnership working
Laurence Field	fieldl@ealing.gov.uk	Accommodation, alternative use of school facilities