

## **CABINET**

### **4 FEBRUARY 2023**

## **EDUCATION SUFFICIENCY ANNUAL UPDATE**

---

**Relevant Cabinet Member**  
Councillor Tracey Onslow

**Relevant Chief Officer**  
Director of Children's Services

### **Recommendation**

- 1. The Cabinet Member with Responsibility for Education and Skills recommends that Cabinet:**
  - (a) notes the updated annual sufficiency information for Mainstream school age and Specialist education provision in line with the Cabinet decision in December 2018;**
  - (b) notes the pressure on Mainstream and Specialist educational provision, and Sufficiency duties highlighted in the reports;**
  - (c) approves the publication of the 2022 Mainstream and Specialist Sufficiency reports as updates to the School Organisation Plan 2019 - 2024;**
  - (d) notes progress on the updated Early Years and Childcare Sufficiency annual report and Post 16 education sufficiency assessment; and**
  - (e) notes progress update on the delivery of the Worcester City Secondary School.**

### **Background**

1. The five-year strategic School Organisation Plan<sup>1</sup> "Good Education Places for all Worcestershire Children" was approved by Cabinet in December 2018 and outlines the 5-year programme to meet the Local Authority Statutory duties to ensure a sufficiency of education provision for children in Worcestershire.
2. Worcestershire County Council has a duty (under s13-14 Education Act 1996) to ensure there are sufficient school places to accommodate the children and young people who reside in the county and to ensure these places are of good quality with sufficient capacity to promote parental preference and diversity.

---

<sup>1</sup> [http://www.worcestershire.gov.uk/download/downloads/id/10780/worcestershire\\_county\\_council\\_school\\_organisation\\_plan\\_2019.pdf](http://www.worcestershire.gov.uk/download/downloads/id/10780/worcestershire_county_council_school_organisation_plan_2019.pdf)

3. Section 14 of the Education Act 1996 places a duty on Local authorities (LA's) to secure educational provision made for pupils age 16 to 18 and over 19 years, and those with special educational needs up to age 25 years.

4. Section 6 of the Childcare Act 2006 places a duty on Local Authorities to secure sufficient childcare, so far as is reasonably practicable, for working parents, or parents who are studying or training for employment for children aged 0-14 (or up to 25 for children with special educational needs or disability) and Section 7 (as substituted by section 1 of the Education Act 2011), places a duty on English local authorities to secure early years provision free of charge for eligible 2, 3 and 4 year olds. Section 1 of the Childcare Act 2016 which places a duty on the Secretary of State to secure the equivalent of 30 hours of free childcare over 38 weeks of the year for qualifying children.

5. Along with these statutory duties, the Worcestershire's Education and Skills Strategy 2019-24 was approved by Cabinet in September 2019 and shapes the Worcestershire vision and aims for education provision by 2024. These provide the strategic focus for the work of the Education Sufficiency and Place Planning Team of Worcestershire Children First.

## **School Organisation Plan**

6. The five-year strategic School Organisation Plan is designed to provide an overview of education place planning from 2019-2024. Worcestershire Children First, on behalf of Worcestershire County Council, undertake an annual programme to revise our position to ensure we continue to meet our statutory duties and strategic aims related to the provision of education from ages 0-25. Four sufficiency reports associated with the plan provide the operational direction for the overall strategy, including the:

- Early Years and Childcare sufficiency (update to follow in 2023)
- Mainstream school sufficiency (Appendix 1)
- Specialist SEND sufficiency (Appendix 2) and Special School Sufficiency (Appendix 3)
- Post-16 sufficiency (update to follow in 2023).

The five-year School Organisation Plan 2019-2024 is included as Appendix 4.

7. The reports are updated in the Autumn Term of the academic year and are based on information from the September and January Schools' Census and Early Years Census, Known Children Data shared by the NHS, and other data sources.

8. The forecasts from the reports are used to plan for education provision requirements, shared with schools and other education settings, and form the basis of the School Capacity Report to the DfE that is used to allocate basic need capital grant allocated to each Local Authority to create new school places. The Sufficiency assessments and forecasts are also used to underpin assessments of education infrastructure required as a result of new housing developments. Education Infrastructure contributions are requested for Early Years, mainstream Schools,

Specialist education provision and Post 16 provision where existing provision cannot support the additional demand of pupils from new housing.

## **Mainstream School Sufficiency**

9. September 2016 saw the highest intake of Reception children in the County since 2000 (6536 pupils). This cohort moved into Middle schools (Year 5) in 2021 and will arrive in Secondary Schools (Year 7) in September 2023, forecast to be 6682 pupils.

10. 91% of Primary school children received an offer from one of their three preferences for September 2022, this is lower than in September 2021 for Primary (98%). There was also a small decrease in the percentage of children applying for a Secondary school place receiving an offer from one of their three preferences: 95.1% for September 2022 compared to 95.5% for September 2021.

11. Over the last decade, the number of Primary age children (Reception to Year 6) in Worcestershire has increased by 9%. Over this time, WCF have worked with schools to increase the capacity at several Primary and First Schools across Worcestershire to ensure we are able to meet the demand for places in key pressure areas. Whilst growth has been felt across the County, some urban areas of Worcestershire, namely Bromsgrove, Evesham and Redditch, have experienced a much higher rate than rural areas. Conversely the numbers arriving at Reception classes in Worcester City and Kidderminster were 5% lower in September 2022. Worcestershire has a mix of urban and rural areas with an increasing number of families moving into urban areas, a trend seen nationally. Over the next 5-10 years a number of large housing developments are expected to increase the numbers of families living within some urban areas. At the same time, there is a challenge to ensure small rural village schools remain sustainable.

12. The last 2 years saw the effects of lower birth rates on Worcestershire Primary and First schools, which is expected to continue over the next few years. At the same time, Worcestershire is seeing a significant level of new housing either being built or planned as the popularity of the County grows. As a result, the number of children in Primary year groups in Worcestershire peaked in 2019 at 44,252 and has since stabilized around 44,000. Therefore, as new housing is concentrated in pockets, namely Bromsgrove, Droitwich, Redditch and South Worcester, new schools and additional expansions will be required in certain areas to ensure sufficiency of places. WCF Officers are discussing options with schools in these areas to ascertain viable solutions. The demand for new schools have been agreed with housing developers for Perryfields, Bromsgrove and Foxlydiate, Redditch. In other areas, Bewdley, Evesham, Malvern and Upton there are currently surplus (an oversupply of) places. WCF Officers will work with individual schools to consider reducing Pupil Admission Numbers (PAN) temporarily to support the sustainability and viability of schools. An informal review of education provision in Malvern will begin in the Spring 2023 term to identify options to maintain sufficient viable provision in this area.

13. Pupil numbers in Middle Schools in Bromsgrove, Droitwich, and Redditch, are generally increasing particularly in areas where there is also housing growth. There are insufficient places in Bromsgrove and Redditch Middle Schools. There continues to be an oversupply of places in the Pershore and Evesham Middle Schools. WCF Officers are working with individual schools and property agents to assess options to create additional middle school places in Bromsgrove. Specific Redditch Middle

schools have been identified for expansion or bulge classes and are moving to full feasibility stage.

14. In 2017 and 2018, the number of pupils in Secondary schools began to increase after several years of lower numbers. This is anticipated to continue, which also coincides with an anticipated increase due to housing growth. Over the last several years, WCF have been working with Secondary and High schools in Worcestershire to ensure they are able to sufficiently support higher numbers. Further expansions are required over the coming years to support further growth particularly in Bromsgrove and Kidderminster. An update on the new Worcester City Secondary School progress is provided in this report.

15. Pupil migration between counties has not made significant changes but still a factor that must be considered, particularly for Secondary and High School. In general, outward migration impacts on Birmingham, Dudley, Sandwell and Solihull councils to the north and on Gloucestershire and Warwickshire councils to the east and south. Inward migration into Worcestershire schools is not currently considered a major factor on overall forecasts. In most cases, this is not a concern as school admissions policies tend to give priority to pupils living within the school catchment area.

16. A continual programme of works is required to meet mainstream place requirements over the next five years. The Education Capital programme prioritises basic need requirements to fund expansions to existing schools where possible. The WCF Education Sufficiency and Place Planning team work closely with mainstream schools to identify suitable, feasible and viable schemes to deliver additional places in a timely and value for money way. Where new housing developments make Section 106 Education Infrastructure contributions, this funding is also prioritised to deliver the additional mainstream school places required as a consequence of additional housing.

17. Worcestershire County Council has welcomed news that a further two of the county's schools have been selected to be involved in the Central Government's Schools Rebuilding Programme. Arrow Vale Secondary School and Baxter College (Secondary) have been selected in the most current round of the School Rebuilding Programme which was announced in December 2022. The funding announcement follows on from Pershore High School and Waseley Hills High schools which were selected for the first 50 schools announced in February 2021.

18. Typically, a new first or primary school may be required where a new housing development contributes 300 or more dwellings, or in areas where no potential school expansions can be identified. When a large-scale development in excess of 100 dwellings WCF engage with developers and district councils to allow for appropriate planning and feasibility work to be undertaken. A new secondary school or special school is only likely to be required on very large sites or in an area where there is a significant amount of new housing across several developments.

19. The WCF Education Sufficiency and Place Planning team assess all housing planning applications individually but also holistically to determine what the impact on education provision would be. Developer contributions towards new school places should provide both funding for construction and land where applicable, subject to viability assessment when strategic plans are prepared and using up-to-date cost

information. Central government Basic Need Grant, the DfE free schools programme and other capital funding do not negate housing developers' responsibility to mitigate the impact of their development on education places.

20. There are several strategic housing sites planned in Worcestershire over the next 7 years (before 2030) that are likely to require new First / Primary School to be delivered. These include: Hopfields, South Worcester; Lea Castle, Kidderminster; Kidderminster East; Perryfields, Bromsgrove; Foxlydiate, Redditch; West Worcester; Parkway, Worcester; and Mitton, Wychavon. All of these schools are in the planning phase to determine delivery timescales and costs against the updated housing delivery plans.

21. The majority of new housing planned to be delivered in Worcestershire is set out in the South Worcestershire Development Plan (SWDP) up to 2041. This plan includes a government target for an extra 11,000 new homes on top of the 28,400 homes already planned for up to 2030 in the current SWDP. Most of the new housing will be provided through new settlements, known as strategic sites. These will be located close to existing or new railway links. Development will be completed in phases over time and developers will be asked for payments to support, and where necessary, deliver local infrastructure.

22. The largest strategic site planned is to be built at Worcestershire Parkway (2025 – 2040) includes 5,000 new homes. A further phase of this development is planned from 2041 with a further 5,000 homes. The focus of the new settlement and infrastructure will be on making sure residents' needs are met nearer to where they live including a new town centre, schools, local neighbourhood centres and community facilities. There will be investment in walking and cycling infrastructure to promote sustainability and reduced car use. Current Education requirements for the whole settlement development include up to 8 Primary and Nursery schools, 2 Secondary Schools, a Post 16 education provision and a Special School. These schools will be to meet the demand from the new settlement. Timescales for delivery of the first 5,000 houses are 2025 up to 2041. The developers are expected to provide the land and funding to build the schools. We would not expect the Special School to be delivered before 2041.

### **Specialist SEND Sufficiency**

23. Just under 1.5 million pupils in England have special educational needs. An increase of 77,000 from 2021. The national percentage of pupils with an education, health and care (EHC) plan has increased to 4.0%. The national percentage of pupils with SEN but no EHC plan (SEN support) has increased to 12.6%. Both continue a trend since 2016. The most common type of need nationally for those with an EHC plan is autistic spectrum disorder and for those with SEN support is speech, language and communication needs.

24. In Worcestershire we want all children and young people with special educational needs and / or disabilities to be truly seen and respected as individuals and to be the best they can be. The Local Area Partnership SEND Strategy (2022 – 25) priorities include: Priority 2: There is sufficient and effective SEND provision. The Local Area SEND Re-Visit Inspection in November 2021 found that the concern about lack of suitable specialist provision remained a concern with “too many children being placed in settings outside of Worcestershire and independent settings ... and too

many children without a school place”. We have developed our plan for specialist provision continuum as part of the Local Offer including the development of provision for autism in mainstream settings. We have 4 workstreams to respond to the Accelerated Progress Plan (DFE). Taking coordinated action to forecast and develop our specialist provision is one workstream of this plan.

25. The provision of appropriate education places for pupils with Special Educational Needs and Disability remains a pressure for Worcestershire and demand for provision that can cater to specialist needs and disabilities is expected to continue to rise.

26. The percentage of children educated in Worcestershire with identified SEND remained around 15% between 2016-2019, however rose to 17.6% in 2021 and is now at 18.9% for 2022.

27. In 2016, there were 1,960 school age children living in Worcestershire with an Education and Health Care Plan, this has increased to 2,960 school age (5-15) children by January 2022. The largest percentage increases are evident within the 16 to 19 age group increasing from 468 in January 2016 to 1044 in January 2022. Figure 1 details the number of pupils with an EHCP by age range recorded on the SEN2 data return each January.

*Figure 1: Pupils for whom the local authority maintains a statement of special educational needs or an EHC Plan*

	Jan-16	Jan-17	Jan-18	Jan-19	Jan-20	Jan-21	Jan-22
Under 5	61	55	84	83	110	118	138
Age 5 to 10	871	842	908	992	1214	1293	1410
Age 11 to 15	1089	1078	1120	1220	1339	1473	1550
Age 16 to 19	468	628	807	966	959	939	1044
Age 20 to 25	37	89	145	241	431	359	413
Total	2526	2692	3064	3502	4053	4182	4555
Annual % increase		7%	14%	14%	16%	3%	9%

Source – Sen2 DfE LAIT

28. The percentage of children educated in Worcestershire with a Statement of (SEN) or and EHCP (figure 2) has remained fairly consistent (2.9 – 3.6%) over the years and continues to be in line with West Midlands Local Authorities and below Statistical Neighbours and National. January 2022 did see an increase to 3.9% exceeding West Midlands Local Authority average and closer to the national average of 4%.

*Figure 2: The percentage of pupils with EHCP*

Area	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	Change from previous year
Worcestershire	3.10	3.00	3.00	2.90	2.70	2.90	3.00	3.30	3.60	3.90	0.30
West Midlands	3.00	3.00	3.00	2.90	3.00	3.10	3.10	3.30	3.60	3.80	0.20
Statistical Neighbours	2.89	2.91	2.91	2.92	2.96	3.03	3.16	3.43	3.74	4.02	0.28
England	2.80	2.80	2.80	2.80	2.80	2.90	3.10	3.30	3.70	4.00	0.30

The percentage of pupils with EHCP's educated in the mainstream system increased to 33% in 2021 and retained at 32% in 2022 after several years of decline. Figure 3 shows this continues to be below the national average. The percentage of pupils with EHCP's in maintained special schools has decreased from 36% in 2021 to 35% in 2022, higher than the national average of 30%.

*Figure 3: Analysis of attendance type of children and young people with EHCPs in Worcestershire compared to National average*

EHCPs	England						Worcestershire					
	2017	2018	2019	2020	2021	2022	2017	2018	2019	2020	2021	2022
% mainstream	42%	40%	38%	38%	39%	40%	30%	26%	26%	30%	33%	32%
% independent - out of county	6%	6.0%	6.0%	6.1%	6.1%	6.3%	5.4%	5.7%	6.1%	6.1%	6.9%	7.0%
% state funded special	36%	36%	34%	32%	31%	30%	46%	43%	40%	37%	36%	35%
% FE	11%	15%	16%	17%	17%	16%	16%	21%	22%	20%	19%	19%
% Other	4%	3%	6%	7%	8%	8%	3%	4%	7%	7%	5%	6%

29. The continued rise in the number of children with special educational needs and EHCPs has put pressure on access to Specialist provision for Worcestershire pupils. There is a range of specialist provision available to support children and young people with EHCPs including Special Schools, Mainstream Autism Bases, Language Units, Medical Education provision, Alternative Provision, Specialist Nursery provision and Independent Specialist provision.

30. The primary needs of Moderate Learning Difficulties (MLD), Autism Spectrum Disorder (ASD), Speech, Language & Communication Needs (SLCN) and Social, Emotional & Mental Health (SEMH) difficulties are all on a rising trend since 2017 for the primary school age group and secondary school age children. Another noticeable trend is that the numbers of pupils categorised as “complex SEND” have been rising steadily over the last 10 years. Children may have more complex developmental and sensory needs identified at birth. These children are likely to have severe and complex learning difficulties as well as a physical disability or sensory impairment that affect learning, development and health and are likely to require a high level of special educational provision.

31. Of the 4,555 pupils (January 2022) in Worcestershire with an EHCP, 1,611 were recorded on roll at one of the 9 Worcestershire State funded Special schools. This is an increase from 1589 in January 2021 and 1372 in January 2017. Since 2018, Special Provision Capital Funding and High Needs Provision Capital funding has supported some Worcestershire Special schools (Rigby Hall, Pitcheroak, Kingfisher and Fort Royal) to be able to expand accommodation to admit more pupils.

32. Since 2016/17 academic year all Worcestershire Special Schools have experienced an increase in pupil numbers, some more significantly than others as shown in Figure 4 below. Changes to configuration of schools, expansions and for some schools increasing class sizes has been applied to address these issues. Most Special Schools are now accommodating more pupils into existing classes spaces.

Figure 4: Number of pupils on roll at each Worcestershire Special School each January census

Special School	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
Chadsgrove School	132	128	125	126	128	132	137
Fort Royal	193	220	212	208	218	220	241
Kingfisher	68	74	83	92	99	137	135
Pitcheroak	143	146	153	155	151	156	152
Regency	172	178	199	207	233	241	248
Rigby Hall	133	137	134	166	166	196	202
Riversides	62	66	65	63	69	66	69
Vale of Evesham	163	169	189	178	190	177	184
Wyre Forest	238	256	257	261	267	289	323

33. Seven of the nine Special Schools offer post 16 provision. 52% of 16 – 25 year olds with EHCPs attend further education establishments, 18% special schools and 8.5% specialist further education provision. The number of young people aged 20 to 25 with an EHC plan has increased from 145 in January 2018 to 413 in January 2022. 66% of young people aged 20-25 with an EHC plan attend mainstream FE colleges and 21% of young people in this age bracket attend independent specialist post-16 institutions.

34. Some pre-school age children are referred at a young age for Specialist Nursery provision. Most pre-school age children with SEND in Worcestershire are supported in mainstream early years provider settings with funding support through the Graduated Response. The main primary need identified in pre-school age children in Worcestershire is SLCN. There are five Nursery Assessment Unit (NAU)/ Special School Nurseries in Worcestershire. The NAUs assess the longer term educational needs of pre-school age children before they start school in Reception. In January 2022, 122 children were being supported through Nursery Assessment provision. A review of Nursery Assessment and Specialist Nursery provision is underway, including reviewing the operational model for nursery assessment. Recommendations for future delivery and sufficiency of provision will be made this Spring term.

35. Specialist Early Years Language classes are also delivered in each district of the County, this provides targeted intervention to support identified speech, language and communication needs. 48 full time equivalent places are commissioned by the Local Authority, providing support to approximately 143 three and four year olds each year, who attend the provision on a part time basis.

36. There have been a growing number of Worcestershire residents with an EHCP placed in Out of County and Independent Placements which increased from 186 in August 2017 to 336 in August 2020 and 486 in January 2022. This is in line with National averages and has remained consistent as a percentage of all residents with an EHCP but causes a significant impact on High Needs Budget. The average cost per placement at Independent Special Schools is the highest at circa £51k, followed by Specialist FE placements at £35k compared to the average cost of a Special School placement at £11k. In February 2022, the highest proportion of pupils with an EHCP placed in out of county and independent provision had a primary need of ASD.

37. Proactive measures since 2018 continue to reduce the number of pupils with an EHCP requiring a Special School place. An area of focus for High Needs / Specialist Provision capital investment since 2021 has been the development of new Mainstream Autism Bases in Worcestershire. In 2018, 116 pupils were supported in Mainstream Autism Bases in Worcestershire, this increased to 148 in the 2021/22 academic year. Chaddesley Corbett Primary School opened a new Enhanced MAB in April 2022 with 10 places. WCF have also agreed to proceed with opening an Enhanced MAB at Christopher Whitehead Language College in Worcester with 12 places from September 2023 and are supporting an expansion to Treetops Enhanced MAB in Redditch from 20 to 45 places in the next academic year. These developments will help to reduce the number of pupils currently awaiting a specialist placement or who may have been placed in high cost independent provision.

38. A small proportion of pupils who due to illness or medical needs are unable to access full-time mainstream education provision are supported by the Medical Education Provision in Worcestershire. In 2021/22 academic year, 55 pupils were supported by the Medical Education Team. 81% had psychological health issues and 19% had medical issues. 16% of children attending with psychological health issues also have an Autism diagnosis.

39. A small proportion of pupils attending Alternative Provision or Pupil Referral Units in Worcestershire have SEND and/or EHCPs. The Census and SEN2 return records 30 out of 4,690 pupils in January 2022 with EHCPs.

40. Pupil projections in Worcestershire are increasing in the main due to housing growth. Over the period 2017 to 2022 there were on average 671 new EHCPs agreed per year. By reviewing expected population growth, pupil growth from housing and EHCP growth the following forecast for EHCPs can be made as shown in figure 5 below.

*Figure 5: Projected number of EHCPs by age range in Worcestershire for 2022 - 2028*

Age Range	2022	2023	2024	2025	2026	2027	2028
<b>Under 5</b>	314	283	246	246	246	246	246
<b>6 - 10</b>	1551	1690	1794	1794	1804	1791	1779
<b>11 – 15</b>	1358	1718	1860	2002	2164	2302	2422
<b>16 – 19</b>	1054	843	953	1120	1118	1445	1533
<b>20 – 25</b>	390	482	493	498	611	373	449
<b>Grand Total</b>	4667	5016	5346	5660	5943	6157	6429
<b>% Requiring maintained Special</b>	35%	34%	33%	32%	31%	30%	29%

41. If existing percentage trends continue reducing year on year by 1%, the predicted number of pupils requiring maintained special school provision can be forecast. 1,159 school age pupils in 2023 rising to 1,230 by 2026. Numbers on roll at Special Schools will exceed this due to pre-school and post 16 pupils on roll.

42. WCF Officers continue to work with all specialist settings in particular Special Schools to review options available to increase pupil numbers, options include re-

configuration of spaces, expansions, or conversion of temporary accommodation to permanent builds. Some schools have limited options for growth against Building Bulletin 104 guidelines, which outlines the standards and guidance on the area of school buildings required for Special and Alternative Provision schools, as the land is not available on the existing sites. An option being considered in some instances is to develop satellite Special School sites run by an existing Worcestershire Special Provision.

43. In Worcestershire we want all children and young people with special educational needs and / or disabilities to be truly seen and respected as individuals and to be the best they can be. The Local Area Partnership SEND Strategy (2022 – 25) priorities include: Priority 2: There is sufficient and effective SEND provision. The Worcestershire SEND Accelerated Progress Plan includes two workstreams i) supporting Mainstream schools to be inclusive and ii) ensuring sufficient specialist provision. The APP priorities focus on:

- Continuing to increase the percentage of children and young people with an EHCP to remain within mainstream settings;
- Reducing the number of low severity placements in special schools to support more pupils to remain in local schools and reduce the reliance on the independent sector;
- Supporting Mainstream Primary schools to be adaptive to children with special education needs in Key Stage 1 and Key Stage 2; and
- Ensuring our school estate is suitable to enable pupils with physical disabilities to remain within mainstream schools whenever possible

44. These reports show that Worcestershire was able to meet its statutory duties relating to the provision of education places in 2021/22. However, the County is facing a number of challenges resulting from a growing population, school organisation challenges, growing pressure on the condition programme, and evolving requirements to meet the needs of children with special educational needs and disabilities (SEND), meaning that a continual programme of works is required to ensure the education estate evolves to meet the needs of Worcestershire families.

45. There is evidence to suggest Special School provision is needed in the Malvern area that would alleviate some of the current pressures on Worcester and Wychavon Special Schools. There is additional demand for more generic special schools places in Worcester City, Bromsgrove, Redditch and Wychavon.

46. WCF and WCC have submitted a bid for a new DfE Wave 120 place ASD Special Free School, for 5 – 19 year olds (Reception to Year 14) to better meet the needs of a cohort of children and young people who have the potential to access the education curriculum and currently receive their education at high cost independent or non-maintained special schools in or out of county.

### **Worcester City Secondary School – Progress Update**

47. In February 2021, the Cabinet agreed for:

- a new Secondary School to be built to address the shortfall in secondary school places in Worcester City;
- delegated authority to the Chief Finance Officer in consultation with the Director of Children’s Services to identify funding sources to be able to implement the

recommended actions, to be approved by Council and Cabinet by the funding approval process;

- delegated authority to the Strategic Director for Economy and Infrastructure in consultation with the Director of Children's Services, Chief Finance Officer and Assistant Director for Legal and Governance (Monitoring Officer) where appropriate to enter into a form of Memorandum of Understanding and continue and conclude the negotiation of an option to acquire land to deliver a new Secondary School in the Worcester City District boundary with the intention of presenting this Option for agreement by Cabinet; and
- approved a pre-publication engagement with stakeholders on the proposal for a new Secondary School in Worcester City Council boundary

48. In November 2021 Cabinet received a report with the outcome of the pre-publication engagement undertaken in May/June 2021 and:

- endorsed the proposal to acquire land by private treaty as necessary to deliver the secondary school proposal and authorised the Strategic Director of Commercial and Change in consultation with the s151 and Monitoring Officers, to acquire the land in accordance with the delegated authorities below;
- authorised the consultation on the proposed school specification;
- authorised the Cabinet Member with Responsibility for Education, in consultation with the Director of Children's services, to approve the specification having regard to any representations made during the consultation period;
- recommended that Council increase the Capital Programme by the outline project cost of £44m in order to deliver a new four form entry secondary school; and
- authorised the Director of Children's Services in consultation with the Strategic Director of Commercial and Change, the Chief Finance Officer and the Assistant Director for Legal and Governance to undertake all necessary steps to implement the project within the funding envelope agreed including any regulatory consents and contracts required including the completion of a pre-planning public engagement exercise and the preparation and submission of a Planning Application.

49. A two stage Design and Build procurement strategy was agreed in February 2022 by the Worcester City Secondary School Steering Group. This approach should provide greater transparency and cost certainty as it is an open book iterative process where all risks are jointly assessed prior to signing a fixed price construction contract. This should reduce cost variations during the construction stage.

50. The Academy Sponsor Competition to identify a preferred Academy Sponsor to run the new Worcester City Secondary School commenced in March 2022. The process was carried out in line with DfE guidance to ensure a fair and open competition to prospective sponsors. The Local Authority submitted their recommendation in May 2022 but, the decision on the preferred sponsor was made by the DfE in October 2022, the final decision was determined by the Secretary of State, following WCF's recommendation. Oasis Community Learning Multi-Academy Trust were appointed the successful sponsor of the new Worcester City secondary school.

51. In March 2022, WCC alongside Turner and Townsend, commenced a tender process to procure a contractor to deliver the school design work, including submission of the planning application and all preliminary activities. As a result,

Graham Construction Ltd was successfully appointed in August 2022 under the Pre-Construction Services Agreement (PCSA) stage.

52. From early November, Oasis Community Learning have been actively participating in the project development, attending the first Client Engagement Meeting (CEM) in November, alongside a site visit and introduction meeting. The Local Authority continues to build a positive relationship with the Academy Sponsor.

53. In October 2022, Graham Construction have successfully reviewed and completed RIBA stage 1 Preparation and Briefing, to ensure project outcomes. sustainability outcomes, quality aspirations and spatial requirements are still relevant. Subsequently RIBA Stage 2 Concept Design was completed in December 2022 Stage 2 has been undertaken in line with project brief outlining specific strategies and produced design reports to move to stage 3 Plan of Work.

54. The current programme for the delivery of the new Worcester City Secondary is:

- Planning application submission in Q1 2023/24 and approval in Q3 2023/24
- Concluding land purchase in Q3 2023/24
- Award of construction contract in Q3 2023/24
- Ecology mitigation works in Q1 to Q3 2024/25
- Commence work on site Q4 2024/25
- School opening September 2026

## **Early Years and Post-16**

55. Early Years and Post-16 provision are often outside the control of the Council, with provision predominantly managed by the independent, private and voluntary sectors. The sufficiency reports aid the Council and its partners in identifying need and where additional places need to be commissioned or market development requires stimulation or support.

56. The latest updates for Early Years and Childcare Sufficiency and Post 16 Sufficiency will be reported later in 2023.

## **Legal, Financial and HR Implications**

57. A key issue in Worcestershire for school place planning is the mixed education landscape. Worcestershire is unique in the range of education tier structures available to families in the County. In areas which operate a two-tier model, children enter primary school at reception and transfer to a secondary school at the start of Year 7. Other areas operate a three-tier model, where children enter first school at reception, transfer to a middle school at the start of Year 5 or 6, depending on the age range of the middle school, and then transfer to high school at the start of Year 8 or 9, depending on the age range of the high school. Some EPAs operate both two tier (primary and secondary) and three tier (first, middle and high) in the same area, providing families with a choice. This includes some catholic school provision and some other schools that have sought to change their age range.

58. The Local Authority is not the sole proposer and decision maker of prescribed alterations / School Organisation changes for schools. Where a school is an

Academy School the Academy Trust can propose changes and the Regional Schools Director is the decision maker. In making proposals, the Department for Education expects schools to work with the Local Authority, and the Local Authority will respond to any formal or informal consultations made by a school or Trust.

59. Previous decisions, where the Local Authority did not support the change, continue to challenge the delivery of sufficient school places in the right place for families and pupils. Pershore Education Planning Area is one example where a mixed tier system has not provided sufficient suitable school places to meet parental demand. Although there continue to be sufficient places for all pupils living in Pershore EPA, parent / carers and most schools responded to a formal consultation to request the whole EPA change age range to primary and secondary provision. Further to Cabinet decision on 27 October 2022, WCF Officers have been working with the DfE, Multi-Academy Trusts and Diocese to support a request to the Treasury to fund the additional provision required at Pershore High School to enable this change to happen. The DfE has submitted a business case to the Treasury to expand the School Rebuilding Programme (SRP) at Pershore High School to fund the additional 192 places needed for all year 7 places to be provided at Pershore High School.

60. If funding is not secured from new housing developments, schools will be unable to accommodate new pupils generated by new housing, impacting on the ability of new and established communities to access education places, raising concerns over the viability and sustainability of such developments. Developers are therefore required to mitigate the cost of the additional need for places. The County Council education capital funds are fully committed and cannot be expanded as borrowing more money creates additional costs. The County Council has significant pressures on revenue and capital funding which has previously required borrowing and impacts the Council's revenue budgets.

61. Increased costs are being seen across all construction works, the value of the capital and Section 106 funding received is not delivering as much as it previously did. The Sufficiency and Place Planning team, seek to keep up with inflationary costs to ensure obligations contributions are as accurate as possible, yet there is always a lag between agreements being made and the delivery of the final scheme.

62. Other significant risks include the additional associated costs and timescales to expand or amend any private finance initiative (PFI) schools in the Bromsgrove area. WCF Officers and the WCC PFI team work collectively with BAM to explain the impact of these delays. Likely mitigation will be required in the form of temporary accommodation as a solution to permanent viable solutions. This will incur additional costs and funding that could have been spent elsewhere to deliver school places.

63. There are a number of financial implications in relation to the delivery of the new Worcester City Secondary School including survey outcomes that may require additional works, inflationary costs and some minor scope changes. As such, the capital programme will need to be updated to take account of such increases which will need to be formally approved by Council.

64. There is a key risk that insufficient special school places will be available for all pupils that should require a place including nursery and Post 16 for September 2023. The Local Authority received £1.5m High Needs Provision Capital (HNPC) from the

DfE in 2021/22 and £10.7m for 2022 – 2024. This funding is to be used by the Local Authority to address local priorities to improve the suitability and sufficiency of high needs provision in Worcestershire over the next three years. Funding beyond 2025 is contingent on the outcomes of the future Spending Reviews. The SEND Provision Plan (appendix 5) details the High Needs Provision Priorities for the next three years. Increasing Specialist Post 16 provision and Special School places are high priorities for WCF to address.

65. Worcestershire County Council is one of the 55 Authorities taking part in the Delivering Better Value (DBV) in SEND – with a High Needs deficit of forecast to be around £20m at the end of 2023/24. The DBV programme aims are to support local authorities to improve delivery of SEND services for children and young people while ensuring services are financially sustainable. We are pleased to be part of the programme which will identify opportunities and create shared learning and understanding of common themes and trends which will inform best practice.

## **Risk Implications**

66. This report has outlined the risk implications to the Local Authority's statutory requirements to provide a sufficiency of school places in mainstream and specialist provision. WCF Officers continue to work closely with WCC Officers, District Council Officers, housing developers and importantly schools and Academy Trusts to identify suitable solutions to deliver sufficient school places at the right time and place for children and young people living in Worcestershire and wanting a state funded school place.

## **Joint Equality, Public Health, Data Protection and Sustainability Impact Assessments**

67. A detailed Joint Impact Assessment for the Worcester City Secondary School was undertaken and considered by Cabinet in November 2021. The WCSS Steering Group review an updated JIA at key milestones in the programme.

## **Supporting Information**

- Appendix 1 – Mainstream Sufficiency Report 2022
- Appendix 2 – Specialist SEND Sufficiency Report 2022
- Appendix 3 – Special School Sufficiency Report 2022
- Appendix 4 – Worcestershire County Council School Organisation Plan 2019-24
- Appendix 5 - SEND Specialist Provision Plan 2022 - 23

## **Contact Points**

Specific Contact Points for this report

Sarah Wilkins, Director of Education and Early Help  
Tel: 01905 846082  
Email: [swilkins@worcschildrenfirst.org.uk](mailto:swilkins@worcschildrenfirst.org.uk)

## **Background Papers**

In the opinion of the proper officer (in this case the Director of Children's Services) the following are the background papers relating to the subject matter of this report:

December 2018 School Organisation Plan "Good Education Places for all  
Worcestershire Children" Cabinet Report:

[Agenda for Cabinet on Thursday, 13th December, 2018, 10.30 am - Worcestershire County Council \(moderngov.co.uk\)](#)

September 2019 Worcestershire's Education and Skills Strategy, ensuring a good  
education for every child in Worcestershire 2019-24:

<https://worcestershire.moderngov.co.uk/ieListDocuments.aspx?CId=131&MId=2644&Ver=4>

February 2021 Sufficiency and Place Planning Cabinet Report:

[Agenda Document for Cabinet, 04/02/2021 10:00 \(moderngov.co.uk\)](#)

November 2021 Consideration of Specification and Land Acquisition for New Secondary  
School Cabinet Report:

[Agenda Document for Cabinet, 18/11/2021 10:00 \(moderngov.co.uk\)](#)

October 2022 Pershore Education Planning Area Cabinet Report:

[Agenda for Cabinet on Thursday, 27th October, 2022, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)