

CABINET

28 MARCH 2024

EDUCATION SUFFICIENCY ANNUAL UPDATE

Relevant Cabinet Member

Councillor Tracey Onslow
Councillor Adam Kent

Relevant Chief Officer

Director of Children's Services
Director of Commercial and Change

Recommendation

1. The Cabinet Member with Responsibility for Education recommends that Cabinet:

- (a) **notes the updated annual sufficiency information for Mainstream school age and Specialist SEND education provision in line with the Cabinet decision in December 2018;**
- (b) **notes the pressure on Mainstream and Specialist SEND educational provision and places, the Sufficiency duties highlighted in the reports and the indicative actions plans to address these pressures;**
- (c) **notes the current and forecast education capital allocations and the financial pressure on the education capital programme to fund all the demands for additional provision and places, ahead of any further income from the Department for Education grants or Section 106 housing developer contributions.**
- (d) **notes the work being undertaken to assess Early Years and Childcare sufficiency in light of the national expansion programme of childcare entitlements starting in April 2024 and notes a further report to Cabinet in Summer 2024 to detail sufficiency assessment and the actions being taken to respond to areas of sufficiency need;**
- (e) **notes the progress to date on the Pershore Review, the next steps and notes a further report to Cabinet in 2024;**
- (f) **approves the publication of the 2023/24 Mainstream and Specialist SEND Sufficiency reports as updates to the School Organisation Plan 2019 - 2024;**
- (g) **approves the publication of the 2024/25 Education Capital Investment Plan, that details how capital investment will be prioritised to meet education sufficiency needs;**

- (h) approve (as detailed in paragraphs 51 – 72) to proceed with the delivery of the new Worcester City Secondary School including the revised timescales and that the Capital programme be amended for the increased costs to be funded by basic need grant with a recommendation to full Council. Other mitigations continue to be found within the Education Capital programme with further updates on progress included in future Resources Reports to Cabinet;**
- (i) notes the development of a new Education Provision Strategy (formally School Organisation Plan) for 2025 – 2029 (date TBC); and**
- (j) notes a further Cabinet report in 2024 to update the Education Provision Planning Obligations Policy to ensure it reflects the Worcestershire position with regards recent pupil yields from new housing developments, the latest forecasting methodology adopted in Worcestershire and updated DfE guidance.**

Background

1. The five-year strategic School Organisation Plan¹ “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 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.
3. The Council also has a duty 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 up to 2024. These provide the strategic focus for the work of the Education Sufficiency and Place Planning Team of Worcestershire Children First.

¹ http://www.worcestershire.gov.uk/download/downloads/id/10780/worcestershire_county_council_school_organisation_plan_2019.pdf

School Organisation Plan 2019 - 2024

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 the Council, undertake an annual programme to revise the position to ensure that the Council continues to meet the 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 Summer 2024)
- Mainstream school sufficiency (Appendix 1)
- Specialist SEND sufficiency (Appendix 2)
- And Post 16 (Sixth Form) (update to follow in Summer 2024)

The five-year School Organisation Plan 2019-2024 is included as Appendix 3.

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 Survey (SCAP) to the DfE that is used to allocate basic need capital grant allocated to each Local Authority to create new school places. For the first time in June 2023, SCAP required Local Authorities to include information on specialist provision, including special schools and special educational needs (SEN) units and Resourced Provision (RP) within mainstream schools. It is not yet known whether this information will be used to inform the future High Needs Provision Capital allocations to Local Authorities.

9. 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. Annually the Education Provision Planning Obligations Policy² is updated to include updated costs per pupil place requested from developers to mitigate the impact of additional housing on education infrastructure. Education Sufficiency and Place Planning are also reviewing the content of the Policy to ensure it reflects the Worcestershire position with regards recent pupil yields from new housing developments, the latest forecasting methodology adopted in Worcestershire and updated 'Securing developer contributions for education'³ guidance in August 2023. The Policy was last fully reviewed and updated in 2019 following Cabinet approval in December 2018. A further Cabinet report will be presented for consideration in Summer 2024 to update the Policy for academic year 2024.

² [School Planning Obligations | Worcestershire County Council](#)

³ [Securing developer contributions for education \(publishing.service.gov.uk\)](#)

The Education Provision Strategy 2025 - 2029

10. The Education Sufficiency and Place Planning Team have begun to refresh the previous School Organisation Plan to develop an Education Provision Strategy for 2025 to 2029. Focused workshops have been undertaken with the Council's Planning, Transport, Property, Finance and SEND services and Early Years to amend, add to and improve the content of the strategy approach to delivering 'Good education places for all Worcestershire children'. The Council continues to strive to provide the opportunity for the best possible education to allow all children and young people to fulfil their full potential.

Early Years and Childcare

11. Starting from April 2024, existing childcare support will be expanded in phases. From April 2024, eligible working parents of 2-year-olds will be able to access 15 hours of funded childcare support. These hours can be used over 38 weeks of the year or up to 52 weeks if fewer are used than the total hours per week. The intention of this new support is to enable families to work. This increase in funding from April 2024 is expected in practice to support families that work and are accessing childcare already and funding the total cost themselves.

12. There are approximately 5,800 children who are 2 years old living in Worcestershire. Under the current scheme for 3- and 4-year-olds approximately 60% of working families take up the supported childcare offer. If a similar take up rate occurs this will mean approximately 3,500 children that are 2 years old of working parents will be accessing funded childcare.

13. From September 2024, the availability of supported childcare places will increase as children from 9 months – 23 months of working families will have access to the equivalent of 15 hours a week (38 weeks a year). This is a new entitlement and will provide financial support to working families and may also increase the demand for childcare places as parents are able to access work due to this new support. Currently being undertaken is an assessment of supply and demand for take up of this support and the findings of this will be shared with Cabinet in summer 2024. This further expansion will again increase the number of children accessing funded childcare hours administered through the Council/WCF.

14. The national wraparound childcare programme is part of the childcare reforms announced at the 2023 Spring Budget. The government's ambition is that by 2026, all parents and carers of primary school-aged children who need it will be able to access term time childcare in their local area from 8am-6pm, so that parents can access employment and improve labour market participation. Currently being undertaken is an assessment of supply and demand for this support and the findings of this will be shared with Cabinet in summer 2024.

Worcestershire statutory school-age population

15. There were 73,637 children between 5-16 years of age living in Worcestershire in 2015-2016 rising to 78,181 in 2022-2023, an increase of 6.2%.

Mainstream School-age Sufficiency

16. Of the 89,648 children and young people, 76,828 were attending state-funded mainstream primary and secondary schools in 2015-2016 rising to 80,164 in 2021-2022. 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 arrived in secondary schools (Year 7) in September 2023, 6684 pupils.

17. Mainstream school provision across Worcestershire is currently sufficient: 84% of schools were rated as 'Good' or 'Outstanding' by Ofsted in 2022/23, compared to 82% in 2021/22. 98.4% of Worcestershire Primary school children received an offer from one of their three preferences for September 2023, this is better than for September 2022 for Primary (97.9%), which was close to the 2022 England average of 98%. There was also a small increase in the percentage of Worcestershire children applying for a secondary school place receiving an offer from one of their three preferences: 95.0% for September 2023 compared to 94.2% for September 2022. The national average for 2022 was 93.4%.

18. Over the last decade, the number of Primary age children (Reception to Year 6) in Worcestershire has increased by 11.3%. Over this time, schools' capacity has been increased at several Primary and First Schools to ensure that the demand for places in key pressure areas is met. Whilst growth has been felt across the County, some urban areas of Worcestershire, namely Bromsgrove, Evesham and Redditch, experienced a much higher rate than rural areas. However, the numbers arriving at Reception classes in across Wyre Forest were 7% lower in September 2023. 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.

19. 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 is predicted to decrease to 42,000 by 2026. Therefore, as new housing is concentrated in pockets, namely Bromsgrove, Droitwich, Kidderminster, Redditch, West and South Worcester, new schools and additional expansions will be required in certain areas to ensure sufficiency of places. WCF discuss options with schools, housing developers and District Councils as early as possible to ascertain viable solutions. New First and Primary schools have been included in District Plans and agreed with housing developers, for Perryfields, Bromsgrove; Foxlydiate, Redditch; Lea Castle, Kidderminster; Kidderminster East; Hopfields, Worcester and West Worcester. These are subject to planning approval, the delivery of the number of dwellings proposed and sufficient capital funding to deliver the education provision. In other areas, Bewdley, Evesham, Malvern and Upton upon Severn are currently surplus (an oversupply of) primary school places. WCF will work with individual schools to consider reducing Pupil Admission Numbers (PAN) temporarily to support the sustainability and viability of schools.

20. The mainstream sufficiency report is provided as Appendix 1, this provides detailed assessment of demand and supply of school age mainstream education provision to meet the demand of children living in Worcestershire. It provides an overview of the actions being taken or considered to address the demand for school age mainstream provision in Worcestershire with the capital funding available.

21. An informal review of primary education provision in Malvern began in Spring 2023 to identify options to maintain sufficient viable school provision in this area. WCF invited all Malvern school leaders to work together and included the DfE to identify options to reduce the surplus of places over time. A variety of options including all primary schools reducing places, schools with consistent lower preference reducing places, and schools within the areas of lowest known children reducing places were considered. One Malvern primary school agreed and proposed to reduce their pupil admission number (PAN) from September 2025, The Grove Primary School are proposing to reduce from a PAN of 30 to 15. Consultation has completed and the Cabinet Member with responsibility for Education approved ⁴the proposal on 27th February 2025.

22. Thirty-seven (37) mainstream schools (16 First, 18 Primary and one Middle) have less than one hundred pupils on roll as at October 2023 School census. Two primary schools in Evesham EPA have pupil numbers on roll (as at October 2023 school census) of less than thirty (30). Assessment of impact and forecasting of future sustainability is being undertaken by WCF to advise governors of sustainability actions. Three further First and Primary Schools in Pershore and Upton upon Severn areas have pupil numbers on roll of less than 50.

23. Pupil numbers in Middle Schools in Bromsgrove, Droitwich, and Redditch, are generally increasing particularly in areas where there is also housing growth. There are forecast insufficient places in Bromsgrove and Redditch Middle Schools as a result of existing population and housing growth. WCF are working with individual schools, property agents and, for the Bromsgrove PFI schools, BAM Construction ⁵to assess options to create additional middle school places in Bromsgrove. An update on Bromsgrove school places is provided in paragraphs 39 to 44 of this report for Cabinet to consider. Specific Redditch Middle schools (Birchensale Middle and Church Hill Middle) were identified for expansion or bulge classes and schemes have been delivered for 2023 and are in progress for 2025. There continues to be an oversupply of places in the Pershore and Evesham Middle Schools.

24. 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, Kidderminster (subject to housing) and Worcester City. An update on Bromsgrove school place planning is included in the paragraphs 39 to 44 in this report for Cabinet to consider. An update on the new Worcester City Secondary School progress is provided in paragraphs 51 to 72 of this report.

⁴ [Cabinet Member Decisions and Reports | Worcestershire County Council](#)

⁵ BAM Construction FM deliver Facilities Management services to five PFI schools in Worcestershire County as part of the Bromsgrove PFI contract.

25. Pupil migration between counties has not made significant changes but still a factor that must be considered, particularly for Secondary and High School phase. 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.

26. Between May and November 2022, an additional 275 school-age pupils arrived into Worcestershire and applied for a school place where their originating country was known to be outside Europe. It is possible other pupils arrived from outside of the UK but did not apply for a maintained school place. The majority of those families were housed in Bromsgrove, Droitwich, Evesham, Redditch, Worcester and some in Malvern. All were offered a school place and transport if available places were further than the statutory walking distances for age of child.

27. A continual programme of works is required to meet mainstream place requirements over the next five years. The Education Capital Investment Plan (Appendix 4) and therefore 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 result of additional housing.

28. In December 2022, Worcestershire County Council welcomed the news that a further two of the county's schools had been selected to be involved in the Central Government's Schools Rebuilding Programme, Arrow Vale Secondary School and Baxter College (Secondary). Pershore High School and Waseley Hills High schools which were selected for the first 50 schools announced in February 2021. Waseley High School is a full re-build programme, due to begin on site in Spring 2024. Pershore High School is a partial re-build programme, due to begin Autumn 2024.

29. 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 is 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.

30. 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 grant funding do not negate housing developers' responsibility to mitigate the impact of their development on education places.

31. There are several strategic housing sites planned in Worcestershire over the next seven (7) years (before 2030) that are likely to require new First / Primary Schools to be delivered. These include: Hopfields, South Worcester; Lea Castle, Kidderminster; Kidderminster East; Perryfields, Bromsgrove; Foxlydiate, Redditch; West Worcester; Parkway, Worcester; and Mitton, Wychavon.

32. In October 2023, Cabinet agreed that a new First School with nursery in Foxlydiate, Redditch, was required to address the impact of new housing in the area. Pre-publication engagement with stakeholders was completed between July and August 2023 which informed the school specification for formal consultation. Cabinet approved the capital funding to deliver the new school and the formal consultation on the school specification. The consultation is taking place between 8 January and 25 February 2024. The procurement of technical advisors has been completed. Following review of the consultation responses, the school specification will be finalised, and the Academy Trust competition will launch in April 2024 to find a suitable Academy Trust to run the school. This school is scheduled to open in September 2027. Further new schools identified to respond to housing growth are in the planning phase to determine delivery timescales and costs against the updated housing delivery plans.

33. 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.

34. 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 7 primary and nursery schools, 2 secondary schools, 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 either funding to build the schools or delivery of the education provision themselves. It is not expected that the Special School to be delivered before 2040.

Mainstream Pershore EPA

35. 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.

36. The LA and Pershore EPA proposed a change from a mixed tier structure to a consistent two-tier structure. In October – November 2021 all schools and Multi-Academy Trusts consulted on proposals to change age ranges and / or intake points. Pershore High School changed age range to accommodate 90 Year 7 places from September 2021. If the age range changes are agreed, an additional 192 places for year 7 will be required at Pershore High School and all remaining First or Middle Schools will need to become Primary Schools. In November 2023, the Department for Education concluded the full feasibility study for Pershore High School determining that the additional places for all Year 7 pupils in Pershore could be created at the school with additional accommodation and improvements. The DfE confirmed that the work required could take place alongside the partial School Rebuilding Programme at the school.

37. The Local Authority and DfE teams have been working together to share indicative timelines for the works required at all schools to make the necessary accommodation changes for the required change of age ranges to take places, subject to necessary approvals. The earliest all Year 7 pupils could be accommodated at Pershore High School is September 2027.

38. Education stakeholders and decision makers will reconvene in 2024 to confirm next steps. A further report to Cabinet will proceed to request the necessary approvals for LA maintained school to move forward with this change once the DfE has confirmed the latest programme for Pershore High School Rebuilding Programme.

Mainstream Bromsgrove EPA Sufficiency

39. There are high numbers of pupils living in Bromsgrove town. Birth rates have been stable for the last 5 years. The Education Planning Area of Bromsgrove is serviced by four Middle Schools (years 5 – 8) and two High Schools (years 9 – 13).

40. The middle schools in Bromsgrove Town are forecast to be full or nearly full for the next few years and there are predicted to be additional pupils from the new housing to the west of the town (Perryfields and Whitford Road), which is beginning to be built out already. There are forecast insufficient middle school places from 2025, however, if St John's Middle school can accommodate additional pupils in 2024 and 2025, an additional one form entry (30 places per year group) is forecast to be required at one of the middle schools by 2025 / 2026.

41. Feasibility studies have been concluded at all four middle schools, which confirm that St John's CE Middle School and Aston Fields Middle School do not have sufficient land to expand these schools further. Catshill Middle School can be expanded, however is not located in Bromsgrove Town. The feasibility report for Parkside Middle School has recently been received. Parkside Middle School is one of the PFI schools in Bromsgrove. The costs and timescales for Catshill and Parkside now need to be considered fully against the available funding and demand for places to be available. The capital programme will be updated to reflect which schemes will be delivered.

42. The High Schools in Bromsgrove are forecast to be full for the next few years and there are predicted to be additional pupils from the new housing to the West of town (Perryfields and Whitford Road), which is beginning to be built out already. For September 2023, an additional one form of places (30 places) were required at one of the Bromsgrove High Schools for the year 9 intake. North Bromsgrove High School agreed to accept additional pupils above its published PAN of 300. At the time of the October 2023 census the school reported 320 Year 9 pupils on roll. The school received growth funding for the additional pupils.

43. Forecasting continues to predict insufficient places in Bromsgrove High Schools for the Year 9-year group and for in-year admissions into other year groups. Demand is forecast to continue to increase requiring an additional two forms of entry (60 places per year group) from 2025. Negotiations are underway for one of the schools to accommodate additional Year 9 pupils for September 2024. The feasibility reports for North Bromsgrove High and South Bromsgrove High have recently been received from BAM, both schools are PFI schools. The costs and timescales now need to be considered fully against the available funding and urgency for places to be available. The capital programme will be updated to reflect which schemes will be delivered.

44. Basic Need Grant Funding and some S106 housing developer contributions have already been included in the Education Capital programme and agreed in the Resources Cabinet paper to fund the expansions required.

Mainstream Worcester City Secondary EPA Sufficiency

45. There continues to be insufficient secondary school places in Worcester City for all existing children living in Worcester and / or in Worcester City primary schools. Since Spring 2022, WCF have worked with existing Worcester City Secondary school leaders to identify options to mitigate the demand for Year 7 intake places and in-year admissions for other year groups. In September 2022, all existing secondary schools offered to take pupils over their PAN to accommodate the additional demand. In September 2023, one school offered to take up to one form entry (30 pupils) above PAN, and other schools also ended up taking over PAN due to school appeals. At October 2023 Census, 1,251 Year 7 pupils were recorded on roll at one of the five existing Worcester City secondary schools against the total PAN of 1244.

46. The aim is to maintain a 5% surplus of places within each Education Planning Area (EPA) in order to support parental preference, that all children that move into Worcestershire during the school year are offered a place within 20 school days, families that want a place in their local community are able to do so, reducing school travel times and Home to School Transport demand and therefore costs. It has not been possible to maintain a surplus of places in Worcester City secondary for several years, and on occasion school places outside of the city have had to be offered, which therefore requires transport assistance to be provided. Where it has not been possible to place within a reasonable distance, children are referred for placement action under the Fair Access Protocol. There has been an increase of Fair Access requests within Worcester City in the last few years. In the 2021/22 academic year, no children were actioned using Fair Access, in 2022/23 there were 21 children actioned and so far in 2023/24 there have been 32 children taken to panel for placement.

47. The forecast for secondary school places in Worcester City is expected to continue to increase. Worcester City is experiencing and expected to continue to experience a

large amount of housing growth. The South area is where the largest demand for places exists and is expected to continue to rise. Nunnery Wood and Blessed Edward Oldcorne cover the catchment area for the south of Worcester City. Appendix 5 details the forecast demand for Year 7 places in Worcester City taking into account, the total number of pupils already on roll at a Worcester City primary school, known pre-school age children already living in Worcester City, children living in Worcester City but not attending a Worcester City primary school and predictions for additional pupils from the major housing growth across the city.

48. Forecasts are predicting a need for an additional 4FE (120 places) for September 2026 and at least an additional 4FE (120 places) for September 2029. September 2027 and September 2028 have lower forecast numbers of pupils, but forecast numbers still exceed the existing secondary school PANs.

49. Housing growth is centred around South Worcester Urban Expansion and West Worcester Urban Expansion. A total of 2,600 new homes are due to be delivered at SWUE and 2,150 at WWUE. It is forecast that between 43 and 179 additional secondary school age children per year group between 2024 and 2029. In addition, a major new settlement is proposed at Parkway. At present there is no alternative secondary school within 3 miles walking distance of this proposed development. The Newtown Road site is within 3 miles, this could support secondary school provision for Parkway until a secondary school is built within Parkway development.

50. The provision of the new secondary school in Worcester City provides an opportunity to meet medium and long-term growth requirements and provide a surplus of provision to support parental preference, in year admissions and reduce Home to School Transport costs. An update on the new Worcester City Secondary School and decisions for Cabinet are detailed in paragraphs 51 to 74.

Worcester City Secondary School – Progress Update

51. 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 Financial 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 as part of the Council's funding approval process;
- delegated authority to the Strategic Director for Economy and Infrastructure in consultation with the Director of Children's Services, Chief Financial 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.

52. 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;
- 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 Financial 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.

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

54. In March 2022, a procurement process to appoint a contractor commenced. Graham Construction were appointed in August 2022.

55. The Academy Sponsor Competition to identify a preferred Academy Sponsor to operate the 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 Council submitted their recommendation in May 2022, 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.

56. The design process is following the Royal Institute of British Architects (RIBA) Plan of Work. RIBA Stage 1 Preparation and Briefing was completed in October 2022. RIBA Stage 2 Concept Design was completed in December 2022. RIBA Stage 3 Spatial Coordination was completed in December 2023.

57. From November 2022, Oasis Community Learning have been actively participating in the project development and design process.

58. On 5 January 2023, Cabinet approved a budget adjustment to £50 million. The adjustment was due to:

- Construction Inflation increase from 4% to 8%;
- South Worcestershire Development Plan additional biodiversity requirements (20% renewable energy, rainwater recycling, BREEAM excellent, 10% Biodiversity net gain);
- Contaminated/unsuitable topsoil; and
- Highways joint access via Nunnery Way.

This adjustment was endorsed by Full Council on 16 February 2023.

59. On 12 June 2023, a planning consultation event was held at County Hall to give residents and stakeholders the opportunity to see the proposed project and to ask questions and provide feedback. This feedback has been taken into account for developing the design and planning application.

60. The project sought pre-application planning advice, as is normal practice for a development of this scale, this was taken into account as part of the development of the planning application. The planning application is now ready for submission to Worcestershire County Council as the Planning Authority. The information required for the planning application was completed in January 2024

61. In December 2023 at the end of RIBA⁶ Stage 3 the estimated cost based on the Graham Construction's cost plan, had increased above the approved £50m. The forecast increased costs are as a result of:

- The budget for highway works was found to be insufficient following traffic modelling and traffic surveys;
- The increased allowance for Biodiversity Net Gain; and
- The construction cost inflation.

62. Land purchase negotiations have reached the stage where a draft conditional contract (subject to successful planning consent) to purchase the land has been prepared. Final conditional contract conditions are being negotiated with the Seller.

63. Due to the complexity of the ecology, the linked Biodiversity Net Gain requirements and highways capacity constraints in the surrounding area, further work is required to address these within the planning application. This will result in additional works and an impact on the programme.

64. Taking into account the factors described in paragraphs 61 to 63, it is recommended that the new secondary school be delivered for September 2028.

65. The purchase of the land is required, and negotiations are continuing with the Seller. The risks of not purchasing the land are:

- Currently committed spend c£4m, would not be able to be capitalised, and therefore, c£4m would be added to the revenue spend, further increasing overspend.
- The seller may withdraw from the negotiations and a new search for alternative sites would be required.

66. Due to the revised programme for opening the new secondary school, alternative proposals to meet the demand for secondary school places in Worcester in the meantime will be required.

67. Any alternative proposal to meet the demand for secondary school places, prior to the new school being delivered, require a detailed feasibility assessment, including obtaining the support of stakeholders, such as receiving schools. Options to meet the demand will be assessed further and a further report to Cabinet made to approve the required capital.

⁶ The RIBA Plan of Work organises the process of briefing, designing, delivering, maintaining, operating and using a building into eight stages. Stage 3 marks the evolution of the projects design into a detailed plan.

68. Appendix 6 is the financial summary for 2028 delivery, which shows a total addition to the capital programme of between £12.5m and £17.2m is required, depending on the cost of mitigations for 2026 and 2027. The finances have been appraised assuming that this additionality would be funded from Basic Need Grant, rather than increasing borrowing. The higher the increase in the Capital Programme for this scheme, the more Basic Need Grant will need to be reallocated to the scheme. This will impact on the availability of Basic Need Grant to fund future schemes within Education, and on the general flexibility within the Capital Programme.

69. Opening the new school for September 2028 and meeting the demand for secondary school places for 2026 and 2027 by providing additional Year 7 places in 2026 and 2027 at existing secondary schools should consider the following:

- **Cost impact:** Increase in the capital budget for the new school from £50m to £59.9m plus circa £2.6m for the cost of additional accommodation and some repurposing of existing accommodation at existing schools – a total increase of £12.5m. This is the lowest current estimate for total capital costs – further increases may be required (subject to Cabinet approval) if the costs of mitigations increase beyond this. This currently excludes the works potentially required to mitigate the highways capacity constraints as this is yet unknown. Growth funding would be paid to schools taking pupils over PAN in both years. Transport would be required for some pupils to their nearest school with places available for 6 years from 2026.
- **Committed spend to date (as of end of RIBA stage 4 August 2024):** The committed spend to date totals an estimated c£4 million. This will continue to be part of the programme cost.
- **Educational impact:** some children will go to school in their local community. Some children may have to travel out of Worcester City.
- **Number of new places required:** 120 places for September 2026, circa 90 places for September 2027 and 4FE (120 places per year group, 600 in total) when the new school opens in 2028, with the opportunity for further expansion as a result of housing growth.

70. The following assumption has been made:

- Once pupils begin their education journey at a secondary school they are unlikely to choose to move schools.

71. The following risks are noted:

- Existing Worcester City Secondary schools have been taking additional pupils since September 2022, and are likely to continue to be required to up to 2028. Additional resources are required to support schools to accommodate additional pupils.
- Detailed feasibilities are required to determine what other options are viable to mitigate the demand for secondary school places delivered within a reasonable distance from Worcester City, by the right time and in a cost-effective way.
- Identifying and agreeing capacity of other schools to increase places prior to the new school being delivered. The mitigation is where possible to secure improved/enhanced/permanent changes that provide purposeful and relevant in the longer term for example to develop the environments for SEND provision.
- The highways impact of expanding existing school is unknown and uncoded at this point. Work will continue with Highways to access and cost the works required ahead of planning application.

72. Other options that have been considered and discounted include:

- transporting pupils to the next nearest schools with available Year 7 places up to 2028. This included a range of middle schools (Droitwich and Pershore) and secondary schools (Malvern and Upton). Travel distances from Worcester ranged from 5 to 10 miles. Approximately eight schools would be required to provide sufficient Year 7 places for 3 years for up to 120 pupils from Worcester City. Transport would be required to all eight schools. Between 120 and 275 pupils would be transported over a period of seven years (Years 7 – 11) to these alternative schools.
- opening the new secondary school in temporary accommodation on the Newtown Road site: sufficient temporary accommodation would be required to teach the full curriculum to 120 pupils including general teaching rooms, specialist teaching rooms for science, design and technology, art and design, pastoral and SEN provision, dining facilities, indoor PE facilities and provision for staff and support staff. This would impact on the space on the site whilst building the new school and could create significant health and safety and logistical issues for construction and school traffic.

Sufficiency of education provision for children and young people with SEND

73. Over 1.5 million pupils in England have special educational needs and or disabilities (SEND). An increase of 87,000 from 2022. The national percentage of pupils with an education, health and care (EHC) plan has increased to 4.3%, compared with 6.8% in Worcestershire. The national percentage of pupils with SEN but no EHC plan (SEN support) has increased to 13%. 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.

74. All children and young people with special educational needs and / or disabilities should truly be seen and respected as individuals and to be the best they can be. The Local Area Partnership SEND Strategy (2023 – 26) priorities include: Priority 2: There is sufficient and effective SEND provision. The SEND Accelerated Improvement Plan is monitored by the DfE and has been in place since 2022. This plan has a focus on specific areas of development including oversight of ensuring suitable specialist provision. The latest review of progress by the DfE in September 2023 noted the development of forecasting for education places and the commissioning cycle and is looking at the next review due in April 2024 to the development of capital plans to strengthen the range of specialist provision to meet the identified needs of children and young people.

75. 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.

76. The percentage of children educated in Worcestershire with identified SEND remained around 15% between 2016-2019, however rose to 18.9% in 2022 and is now at 20% for 2023.

77. In 2016, there were 1,960 school age children living in Worcestershire with an Education and Health Care Plan, this increased to 4,690 school age (5-15) children by January 2022 and has increased further to 5,158 in January 2023. The largest percentage

increases are evident within the 16 to 19 age group increasing from 468 in January 2016 to 1,166 in January 2023. Figure 1 details the number of pupils with an EHCP by age range recorded on the school census and 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-17	Jan-18	Jan-19	Jan-20	Jan-21	Jan-22	Jan-23
Under age 5 (NCY 0, -1 & -2)	55	84	83	110	118	135	109
Aged 5 to 10 (NCY 0 – NCY 5)	842	908	992	1,214	1,293	1,475	1,612
Aged 11 to 15 (NCY 6 – NCY 10)	1,078	1,120	1,220	1,339	1,473	1,612	1,757
Aged 16 to 19 (NCY 11 – NCY 14)	628	807	966	959	939	1,055	1,166
Aged 20 to 25 (NCY 15 – NCY 19)	89	145	241	431	359	413	514
Total	2,692	3,064	3,502	4,053	4,182	4,690	5,158
Annual Increase	7%	13%	14%	15%	4%	12%	10%

Source – Sen2 DfE LAIT

78. The percentage of children educated in Worcestershire with an EHCP (figure 2) remained fairly consistent (2.9 – 3.3%) between 2013 and 2020 and was in line with West Midlands Local Authorities and below Statistical Neighbours and National. January 2021 saw an increase to 3.6%, 3.9% in January 2022 exceeding the West Midlands Local Authority average, and 4.2% in January 2023 closer to the national average of 4.3%.

Figure 2: The percentage of pupils with EHCP

Area	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	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	4.2	0.30
West Midlands	3.00	3.00	3.00	2.90	3.00	3.10	3.10	3.30	3.60	3.80	4.0	0.20
Statistical Neighbours	2.89	2.91	2.91	2.92	2.96	3.03	3.16	3.43	3.74	4.02	4.2	0.18
England	2.80	2.80	2.80	2.80	2.80	2.90	3.10	3.30	3.70	4.00	4.3	0.30

79. The percentage of pupils with EHCP's in Worcestershire educated in the mainstream system increased from 26% to 33% in 2021 reduced to 32% in 2022 and reduced again to 31% in 2023. Figure 3 shows this continues to be below the national average (40% in 2023). The percentage of pupils with EHCP's in Worcestershire maintained special schools has decreased from 36% in 2021 to 35% in 2022 and 34% in 2023, although continues to be higher than the national average of 28% (2023).

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

	Eng.							Worcs.						
	2017	2018	2019	2020	2021	2022	2023	2017	2018	2019	2020	2021	2022	2023
EHCPs	175k	279k	354k	390k	430k	468k	517k	2,692	3,064	3,502	4,053	4,182	4,555	4,904
All Schools	71,594	110.6k	135k	148.2k	167.4	186.4	206.9	811	808	910	1,207	1,373	1,471	1,538
Mainstream Schools	54,352	96,734	118.9k	125.3k	132.1k	140k	145k	1,228	1,332	1,385	1,517	1,524	1,609	1,676
Maintained Special	9,649	15,873	21,150	23,611	26,301	29,445	32,303	145	174	214	249	289	353	389
Independent Schools	32,066	46,854	57,191	64,437	71,728	73,870	76,476	437	641	757	795	786	865	805
Further Education	7,524	9,361	21,544	28,315	32,929	38,866	55,456	71	109	236	285	210	256	491
Other														
% Mainstream	41%	40%	38%	38%	39%	40%	40%	30%	26%	26%	30%	33%	32%	31%
% Independent	6%	5.7%	6%	6.1%	6.1%	6.3%	6%	5.4%	5.7%	6.1%	6.1%	6.9%	7.7%	8%
% Maintained Special	31%	35%	34%	32%	31%	30%	28%	46%	43%	40%	37%	36%	35%	34%
% Further Education	18%	17%	16%	17%	17%	16%	15%	16%	21%	22%	20%	19%	19%	16%
% Other (AP, EHE)	4%	3%	6%	7%	8%	8%	11%	3%	4%	7%	7%	5%	6%	10%

80. 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.

81. The primary needs of Moderate Learning Difficulties (MLD), Autism Spectrum Disorder (ASD), Speech, Language & Communication Needs (SLCN) and Social, Emotional & Mental Health (SEMH) difficulties continue to be 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 with having “complex SEND” have been rising steadily over the last 10 years. Research by the Beacon School Support⁷ supports the view that nationally there are higher survival rates in extremely premature babies, 60% of babies born at 24 weeks survive, half of babies born before 26 weeks will have a severe disability. 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. The Research also suggests that more children are being diagnosed with Autism because the way ASD is diagnosed has changed, the scope of diagnosis has widened, so children who would not have been diagnosed in the past are being diagnosed now. There is also greater awareness of SEND by parent carers, and professionals.

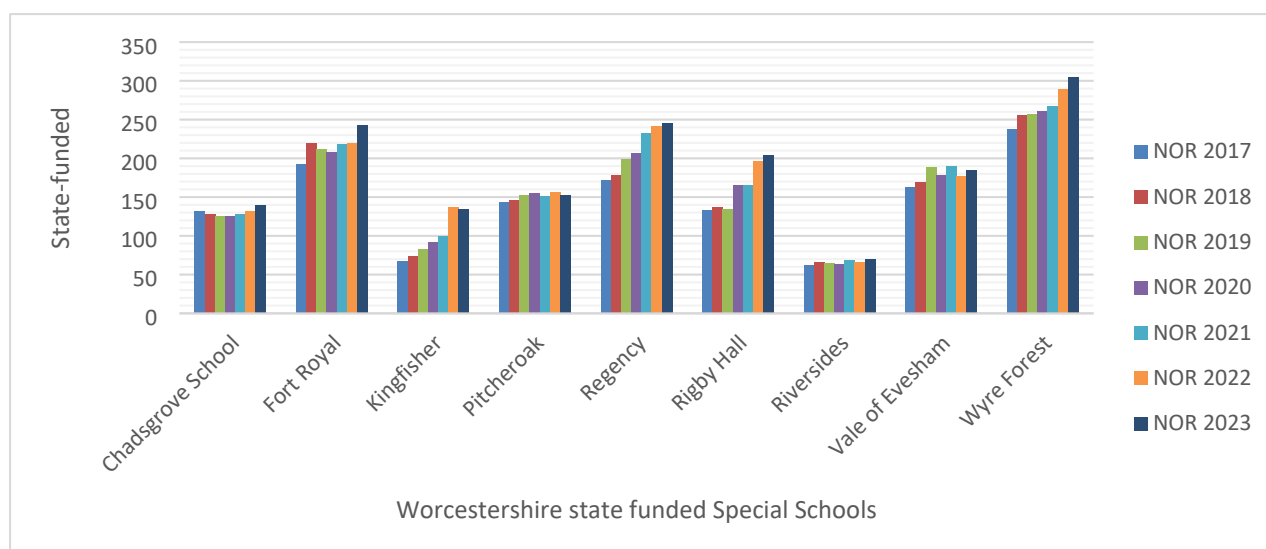
82. Of the 5,158 pupils (January 2023) in Worcestershire with an EHCP, 1,679 were recorded on roll at one of the 9 Worcestershire State funded Special schools. This is an

⁷ <https://beaconschoolsupport.co.uk/newsletters/why-are-there-more-children-with-complex-special-needs-than-ever-before>

increase from 1611 in January 2022 and 1372 in January 2017. Within 2022/23, High Needs Provision Capital funding has supported some Worcestershire special schools (Fort Royal, Regency, and Wyre Forest) to be able to expand accommodation to admit more pupils.

83. 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



84. Seven of the nine special schools offer post-16 provision. 32.5% of 16–25-year-old young people with EHCPs in the academic year 2022/23 attended further education establishments with 24.2% attending special schools and 7.67% attending Specialist further education. The percentage of pupils staying on to post-16 provisions within a state funded special school varies considerably across the County. In 2021/2022 WCF prioritised the £1.5m High Needs Capital allocation from the DfE to develop additional Post 16 SEND Provision in the county, three colleges were awarded funding to develop additional Post 16 provision to support young people with EHCPs.

85. 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 and again to 514 in January 2023. 51% of young people aged 20-25 with an EHCP attend Mainstream FE colleges, such as Heart of Worcestershire (HOW), Warwickshire College Group or Kidderminster College.

86. Some pre-school age children are referred for Specialist Nursery provision including special school nurseries, Nursery Plus or Early Years Language class provision. Most pre-school age children with SEND in Worcestershire are supported in mainstream early years providers with funding support through the Graduated Response. The main primary need identified in pre-school age children in Worcestershire is SLCN.

87. Prior to September 2023, four of the 9 special schools and one mainstream first school delivered Nursery Assessment Units (NAU). In November 2022, WCF invited mainstream and specialist nursery providers to take part in open discussions about the future of

NAUs. The NAU Review identified a need to consider the sufficiency of places where children with complex needs could access their full Nursery Education Funding (NEF) Entitlement and a redesign of the Pre-School Forum model. The outcome of the NAU Review, is that Enhanced Early Years provision is being developed across the County delivered by early years providers or schools to meet the needs of children whose identified complex needs make it difficult to attend an early-years setting.

88. In September 2023, due to an unprecedented rise in the demand for special school reception places, WCF in consultation with The Vale of Evesham school and Academy Trust and Fort Royal school had to prioritise reception places over nursery places at both schools. The Vale of Evesham school offered Outreach support to children that would have attended the Vale of Evesham and Fort Royal Nursery Assessment Units, either in their mainstream provision, or at home.

89. This support continues whilst Enhanced Early Years providers are being identified for Worcester City/Malvern and Wychavon districts. Market engagement with prospective providers for the districts of Wyre Forest and Redditch / Bromsgrove to develop Enhanced Early Years provision will begin in March 2024.

90. Once providers have been identified to deliver Enhanced Early Years provision, statutory consultation to make any significant changes to SEN provision will begin. Capital investment may be required to deliver new provision in new locations, funding will be proposed to Capital Board and Cabinet.

91. Early Years Language classes are delivered across the County, this provides targeted intervention to support identified speech, language and communication needs. Full time equivalent places are commissioned by the Local Authority, providing support to approximately 100 three- and four-year-olds each year, who attend the provision on a part time basis.

92. 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, in 2022/23 this increased to 88 pupils. 82% accessing MET provision were referred due to mental health issues.

93. 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 24 out of 5,185 pupils in January 2023 with EHCPs.

94. 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 from 486 in January 2022 to 639 in January 2023. 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. Since 2022, the average cost per placement at specialist FE placements is the highest at £58k, followed by independent special schools at circa £55k compared to the average cost of a special school placement at £12k. In January 2023, the highest proportion of pupils with an EHCP placed in out of county and independent provision had a primary need of ASD.

95. Proactive measures since 2018 continue to reduce the percentage of pupils with an EHCP requiring a special school place. Figure 3 (above) shows an average 1% decrease

year on year in Worcestershire, however, the number of school age children living in Worcestershire is increasing and forecast to continue to increase particularly as a result of significant planned housing growth. Additional enhanced and specialist provision continues to be required. An area of focus for High Needs Provision capital investment for 2022/23 included increasing the number of special school places available in Worcester City and Wyre Forest. For September 2023, three of the nine schools were provided with capital funding to increase the number of places available. These were Regency High School (Worcester), Fort Royal School (Worcester), and Wyre Forest School. Some of the other schools were also able to accommodate additional pupils within their existing accommodation.

96. Pupil projections in Worcestershire are increasing in the main due to housing growth. Over the period 2017 to 2023 there were on average 411 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 2024 - 2028

Age Range	Actual	Forecast				
	2023	2024	2025	2026	2027	2028
Under 5	176	164	275	279	279	279
6-10	1,316	1,394	1,341	1,376	1,376	1,365
11-15	1,731	2,022	2,251	2,478	2,686	2,852
16-19	1,489	1,516	1,746	1,955	2,111	2,300
20-25	446	721	863	1,001	1,186	1,368
Grand Total	5,158	5,810	6,476	7,089	7,638	8,164
% pupils attending maintained special	34%	33%	32%	31%	30%	29%

97. If the existing percentage trend continues reducing year on year by 1%, the predicted number of pupils requiring maintained special school provision can be forecast. Due to population growth and the numbers of pupils with EHCP continuing to rise, the forecast number of pupils still requiring special school provision is forecast to rise from 1,035 school age pupils in 2023 to 1,218 by 2026. Numbers on roll at special schools will exceed this due to post 16 pupils on roll, which have also continued to rise year on year.

98. WCF 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. With the limited High Needs Provision Capital allocated to Worcestershire for 2021 – 2024, options to develop new schools or significantly expand existing schools are not affordable. An option being considered in some instances is to develop SEN Units on the site of mainstream Schools.

99. The Sufficiency of education provision for children with special educational needs and disabilities report is provided as Appendix 2, this provides detailed assessment of demand and supply of education provision to meet the needs of children living in Worcestershire. It provides an overview of the actions being taken or considered to address the demand for specialist provision in Worcestershire with the capital funding available.

100. The Education Capital Investment Plan (Appendix 4) and therefore education capital programme prioritises high needs provision requirements to fund additional provision where possible. The WCF Education Sufficiency and Place Planning team work closely with mainstream schools and specialist provision 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 specialist provision and places required as a result of additional housing.

101. All children and young people with special educational needs and / or disabilities should truly be seen and respected as individuals and to be the best they can be. The Local Area Partnership SEND Strategy (2023 – 26) priorities include:

Priority 2: There is sufficient and effective SEND provision. The Worcestershire SEND Accelerated Progress Plan includes a workstream that focusses on ensuring sufficient specialist provision which includes continuing the work on the following areas:

- Increasing 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.

102. WCF and the Council were successful in being awarded a new DfE Wave 14, 120 place 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. The indicative opening date for the new school is September 2026. A separate Cabinet report provides an update and decisions for Cabinet in March 2024.

Sufficiency conclusion

103. These reports show that there are a number of challenges resulting from a growing population, school organisation challenges, and evolving requirements to meet the needs of all 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.

104. Additional funding, in excess of the current and forecast grant funding, to deliver the sufficiency of education provision will be required over the next 2 – 3 years.

105. The Council was able to meet its statutory duties relating to the provision of mainstream education places in 2022/23. For some children and young people with SEND there continues to be a lack of suitable education provision to meet their needs.

Legal, Financial and HR Implications

106. Section 13 of the Education Act 1996 places a duty on local authorities to secure (so far as their powers enable them to do so) that efficient primary, secondary and further education are available to meet the needs of the population of their area. Section 13A requires local authorities to ensure that their relevant education and training functions are exercised (so far as they are capable of being so exercised) with a view to promoting high standards, ensuring fair access to opportunity for education and training and promoting the fulfilment of learning potential for children and young people in their area. Section 14 requires local authorities to secure sufficient schools for primary and secondary education for their area, and sufficient is defined by reference to number, character and equipment to provide appropriate education based on age, ability and aptitude, including practical instruction and training appropriate to their needs. These duties are overarching duties and apply regardless of whether schools are maintained by the local authority or independent of local authority support.

107. The Council is not the sole proposer and decision maker of prescribed alterations / School Organisation changes for all schools. Where a school is an Academy School the Academy Trust can propose changes and the Regional Schools Director is the decision maker. For Voluntary Controlled schools, Governing Bodies can propose and decide certain changes. In making proposals, the Department for Education expects schools to work with the Council, and the Council will respond to any formal or informal consultations made by a school or Trust. The implication of this complex decision-making process is that transformation and change can take longer than may be expected and therefore be susceptible to changing circumstances and achievements.

108. 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. However, more developers are challenging the viability of developments due to infrastructure contribution obligations and in some instances, education (and other infrastructure) contributions are being removed.

109. The proposal for Worcester City Secondary school places requires Cabinet to recommend to Council to increase the Capital Programme allocation for this scheme from £50m to £62.5m. The finances have been appraised assuming that this additionality would be funded from Basic Need Grant, rather than increasing borrowing. The higher the increase in the Capital Programme for this scheme, the more Basic Need Grant will need to be reallocated to the scheme. This will impact on the availability of Basic Need Grant to fund future schemes within Education, and on the general flexibility within the Capital Programme.

110. The construction cost of the new Worcester City secondary school will be agreed with the contractor when the planning permission is determined. The agreed cost will be dependent on the planning conditions, final detailed design and inflation. 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.

111. 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.

112. 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 and the Council's Commercial team work collectively with Invesis (the SPV) and their contractor BAM to explain the impact of these delays. There is significant risk however, as there is little the Council can do under the PFI contract to get any timely responses and ultimately Invesis can simply decline to extend the schools. Potential mitigation to delays 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. Any expansion to pupil numbers and accommodation at PFI schools also incurs additional unitary charges as part of the PFI contract for the individual schools. Schools have indicated to the Council that any additional unitary charges will make expansion unviable for them and therefore they are likely not to agree to expansions.

113. There is a key risk that insufficient provision will be available for some pupils with special educational needs that required additional / enhanced provision, those who require a special school reception place and other statutory school age year groups for September 2024. The Council received £12.3m High Needs Provision Capital (HNPC) from the DfE in for 2021 – 2024. This funding is to be used by the Council to address local priorities to improve the suitability and sufficiency of high needs provision in Worcestershire over the next three years. A total of £5m has been spent increasing Specialist provision and the remaining £7.2m has been allocated to further Mainstream Autism Base improvements, the new ASD Special Free School abnormal costs, Special Schools and developing SEN Units / Resourced provisions. Funding beyond 2025 is contingent on the outcomes of the future Spending Reviews. The SEND Provision Plan details the High Needs Provision Priorities for 2022/23⁸. Increasing specialist Post 16 provision and special school places were high priorities for WCF to address. The SEND Sufficiency report (Appendix 2) details other schemes approved or being investigated to address the demand for provision to meet the needs of pupils with EHCPs. However, the funding available is insufficient to meet the demand for provision to meet the needs of all children and young people with SEND in Worcestershire. The SEND Provision Plan is being updated to reflect the priorities being considered or progressed to meet the needs or more children with the resources available.

114. Whilst there continues to be insufficient specialist provision to meet the needs of children and young people with SEND, more children will need to be offered independent specialist provision in or out of county, which will incur higher than average placement costs and home to school transport costs, which causes a significant impact on the already overspent High Needs Budget and Home to School Transport Budgets. Work to mitigate these increased costs will be included in the respective reviews of Home to School Transport and High Needs recovery plan.

⁸ [SEND Strategies and plans | Worcestershire County Council](#)

Risk Implications

115. This report has outlined the risk implications to the Council's statutory requirements to provide a sufficiency of school places in mainstream and SEND provision. WCF continue to work closely with the Council, District Council, 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.

116. There is a risk that the 2026-27 Basic Need and 2024-25 High Needs Provision Capital allocations from the DfE are likely to be delayed due to the current Spending Review period and a new settlement has been agreed. The DfE have confirmed that the 2026-27 Basic Need allocations (for places needed in 2027) will not be announced as usual in Spring 2024. We are waiting to hear regarding the 2024-25 High Needs Provision Capital allocations (for places needed in 2025). This makes it very difficult to plan well in advance or longer term.

117. There is an ongoing issue of a lack of suitable specialist provision to meet the identified needs of some children and young people in Worcestershire. Additional specialist provision has been opened or expanded since 2021, however demand continues to outweigh supply. There is evidence that some children and young people with SEND have not been placed in settings that appropriately meet their needs, including children and young people placed in specialist settings when their needs could have been met in mainstream schools with support. WCF continue to work with mainstream and specialist provision and parent carers to review needs and provision, to support children and young people with the right provision at the right time.

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

118. A detailed Joint Impact Assessment for the Worcester City secondary school was undertaken and considered by Cabinet in November 2021. The Worcester City Secondary School Steering Group review an updated JIA at key milestones in the programme. Appendix 7 includes the update Joint Impact Assessments for Worcester City Secondary School.

Supporting Information

- Appendix 1 – Mainstream Sufficiency Report 2023
- Appendix 2 – Specialist SEND Sufficiency Report 2023
- Appendix 3 – Worcestershire County Council School Organisation Plan 2019-24
- Appendix 4 – Education Capital Investment Plan 2024/25
- Appendix 5 – Worcester City Secondary forecast demand
- Appendix 6 – Worcester City Secondary funding
- Appendix 7 – Worcester City New Secondary School Joint Impact Assessments

Contact Points

Specific Contact Points for this report

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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:

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

[February 2023 Sufficiency and Place Planning Cabinet Report](#)

[Agenda for Cabinet on Thursday, 2nd February, 2023, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)

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

[\(Public Pack\)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 \(moderngov.co.uk\)](#)

January 2023 Draft Budget and Medium Term Financial Plan Report:

[Agenda for Cabinet on Thursday, 5th January, 2023, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)

February 2023 Full Council, to endorse budget uplift:

[Agenda for Council on Thursday, 16th February, 2023, 10.00 am - Worcestershire County Council \(moderngov.co.uk\)](#)