

EXECUTIVE BOARD – 18 MARCH 2014

Subject:	Proposed expansion of Heathfield Primary School, Basford		
Corporate Director(s)/ Director(s):	Alison Michalska, Corporate Director for Children and Adults		
Portfolio Holder(s):	Councillor David Mellen, Portfolio Holder for Children’s Services		
Report author and contact details:	Jennifer Shadbolt, Project Manager, School Organisation jennifer.shadbolt@nottinghamcity.gov.uk 0115 87 65629		
Key Decision	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Subject to call-in	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons:	<input checked="" type="checkbox"/> Expenditure <input type="checkbox"/> Income <input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision	<input type="checkbox"/> Revenue <input checked="" type="checkbox"/> Capital	
Significant impact on communities living or working in two or more wards in the City	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Total value of the decision: £4.39 million			
Wards affected: Basford and Bulwell Forest	Date of consultation with Portfolio Holder(s): 11 September 2013		
Relevant Council Plan Strategic Priority:			
Cutting unemployment by a quarter	<input type="checkbox"/>		
Cut crime and anti-social behaviour	<input type="checkbox"/>		
Ensure more school leavers get a job, training or further education than any other City	<input type="checkbox"/>		
Your neighbourhood as clean as the City Centre	<input type="checkbox"/>		
Help keep your energy bills down	<input type="checkbox"/>		
Good access to public transport	<input type="checkbox"/>		
Nottingham has a good mix of housing	<input type="checkbox"/>		
Nottingham is a good place to do business, invest and create jobs	<input type="checkbox"/>		
Nottingham offers a wide range of leisure activities, parks and sporting events	<input type="checkbox"/>		
Support early intervention activities	<input type="checkbox"/>		
Deliver effective, value for money services to our citizens	<input checked="" type="checkbox"/>		
Summary of issues (including benefits to citizens/service users):			
At the end of September 2013, a four week consultation took place on plans to expand Heathfield Primary School in Basford from 280 to 700 places. Following this period of consultation, the Executive Board approved the next stage of the consultation process which was the issuing of statutory notices.			
These were issued on 8 January 2014 and the representation period ended on 5 February 2014. No representations were made about the proposal to expand Heathfield so this paper seeks approval from the Executive Board to implement the expansion.			
Exempt information: None			
Recommendation(s):			
1 To approve the expansion of Heathfield Primary School from a 280 place school to a 700 place school, from September 2015 at a maximum cost of £4.39 million.			

1 REASONS FOR RECOMMENDATIONS

- 1.1 The response to the consultation to expand Heathfield Primary School has been positive and the extra school places in the area are needed.
- 1.2 The proposal will be funded predominantly from money allocated to Nottingham City Council as part of the Government’s Targeted Basic Need Programme.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Since 2010, Nottingham City Council has been implementing an extensive school expansion programme to add primary school places in the area of most need, following a population increase. Basford was identified as an area of need and in 2013 a bid was submitted to the Department for Education (DfE) for funding to expand Heathfield Primary School in Basford by an extra 420 places.
- 2.2 The bid was successful and £3.8 million will be allocated to Nottingham City Council from the government's Targeted Basic Need Programme to expand Heathfield. The expansion will see Heathfield become a split site primary school, where 280 children will be educated on the current site, on Scotland Road in Basford, and the remaining 420 children will be educated on the site of the former Henry Mellish School, where the new school building will be located.
- 2.3 Following the bid, a four week consultation period ran between Monday 30 September 2013 and Sunday 27 October 2013. Parents and carers of children at Heathfield were consulted along with staff at the school and local community members and the majority were in favour of the proposal. As a result, the Executive Board approved the next stage of the consultation process on 17 December 2013.
- 2.4 Statutory Notices were hung on the gates of Heathfield Primary School, Scotland Road, and on the proposed site of the new school building on Wednesday 8 January 2014. They were also published in the Topper newspaper. The representation period ended on Wednesday 5 February 2014 and no representations were made during this period.
- 2.5 It is proposed the building work will be complete by September 2015, when the new school building will open. However, due to the demand for places in the area, Heathfield Primary has already started to admit extra pupils to the school ahead of its formal expansion.
- 2.6 The estimated cost for the building work is £4.39 million. £3.8 million will be funded by the money received from the Targeted Basic Need fund and the remaining will be funded by the Basic Need Grant allocated to Nottingham City Council by the DfE.
- 2.7 A full business case will be written and submitted to the Portfolio Holder for Children's Service to release the funding, after initial design work is complete, which is the process agreed by the Executive Board on 19 November 2013.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 No other options were considered as school places are needed in the area.

4 FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 The expansion of this school is part of the Primary Schools Reorganisation that has been presented as part of the council's overall Investment Strategy. The scheme is fully funded by the Basic Needs Grant and both the scheme and the associated funding is already in the five year Capital Programme as an intention to

fund, this report seeks the final approval to commit the grant and allocate the funding to this scheme.

- 4.2 It is worth noting the future financial implications relating to the timing of the proposed expansion and the intake of additional pupils. The intake of additional pupils to bring the school up to a 700 place school from a 280 place school will be from February 2014 to September 2020 and these costs will be met by the Pupil Growth Contingency which is part of the Dedicated Schools Grant. The allocations for each financial year will be based upon the assessment of the School Organisation Team against the pupil growth criteria.
- 4.3 As the distance between the two sites is more than 400 metres apart, based on the current funding formula, the school will be eligible for additional formula funding through the split sites factor from the financial year 2015/16. However, the DfE is currently reviewing moving over to a national funding formula which is to be confirmed later this year, so this could change. The two main options being considered are:
- a) a Local Authority Level Formula – where the local authorities use their own formula;
 - b) a School Level Formula where a single national formula will be implemented to all schools in England.
- 4.4 The purpose of the split site factor is to support schools with unavoidable extra costs due to having a split site. Nottingham City Schools Forum set a split sites criteria in 2005 which calculates whether or not schools are eligible for this funding. Based on the current criteria Heathfield Primary would be eligible for this funding. In 2015/16 the school would be eligible for a minimum of £39,000 or a maximum of £41,000 (7/12ths). This figure changes due to the square metreage of the second site being unknown at this point, this affects the amount that the school is entitled to. The full year effect in 2016/17 would be either £67,000 or £70,000.
- 4.5 Appendix 1 illustrates the split site funding criteria for primary schools and the amounts allocated for each element.

5 RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

- 5.1 The school organisation regime is set out in the Education and Inspections Act 2006 (“EIA”), regulations made under the EIA and guidance made by the Secretary of State, both statutory (using powers in the EIA) and non-statutory. It should be noted that whilst this law and guidance is currently in force, with the current government taking office in 2010 and the formation on 12 May 2010 of the Department for Education this law and guidance may no longer reflect government policy and may be changed in the near future.
- 5.2 Under section 19 of the EIA, a local authority is required to publish a proposal to make a prescribed alteration to a maintained school. In essence, a prescribed alteration is one designated as such by regulations. In relation to proposals published by a local authority under section 19 of the EIA before 28 January 2014, as here, the relevant regulations are the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (“the Prescribed Alterations Regulations 2007”).

5.3 The proposal referred to in this report to expand Heathfield Primary School (“the School”) by increasing the number of pupils to be accommodated from a 280 place primary school to a 700 place primary school by 1 September 2015 would appear to be a prescribed alteration because it is an enlargement of the premises of the School which would increase the capacity of the School by more than 30 pupils and by well over 25 per cent. Therefore with the proposal having been published, the Executive Board must now determine whether to implement the proposal referred to in this report. Under regulation 5(7) of and paragraph 31(1) and (2) of Schedule 5 to the Prescribed Alterations Regulations 2007 in so determining the Executive Board may:

- (a) reject the proposal;
- (b) approve the proposal without modifications; or
- (c) approve the proposal with such modifications as the Executive Board thinks desirable, having consulted the governing body of the School first (unless the modifications are proposed by the governing body of the School).

5.4 Under paragraph 31(4) of Schedule 5 to the Prescribed Alterations Regulations 2007, the Executive Board must make a determination in accordance with paragraph 31(1) and (2) of Schedule 5 to the Prescribed Alterations Regulations 2007 within the period of two months from the end of the representation period (i.e. by 5 April 2014 here). If the Executive Board does not make such a determination within the period prescribed, the proposal must be referred to the Schools Adjudicator.

5.5 The method proposed to achieve the proposed expansion by building a new school building on the former Henry Mellish School site on Highbury Road, Basford, which is 1 mile away from the School, is not a prescribed alteration. This is because it does not entail the wholesale transfer of the School to a new site nor does it entail the discontinuance of the current site of the School. Therefore and as previously advised, this issue was referred to as explanatory detail when the enlargement of premises proposal was published.

5.6 Lastly, it is advisable that Human Resources (“HR”) and legal advice is taken in relation to the HR and employment law ramifications of the proposal to enlarge the premises of the School.

5.7 HR supports the recommendation for the expansion of Heathfield Primary School. In terms of the workforce implications the governing body will need to give careful consideration to the appropriate staffing establishment and the potential need to make suitable appointments to ensure the school is adequately resourced in line with School Teacher’s Pay & Conditions, Staffing Guidance under the Education Act 2002, and the Restructuring, Recruitment, and Pay Policies adopted by the governing body.

5.8 HR and legal advice should be taken in the implementation of any new or extended staffing structures, to ensure appropriate consideration is given to employment law, policy and practice.

5.9 In addition any preparation for appointments of additional support staff, in terms of job roles and job evaluation would need to take into account implications of job evaluation and guidance relating to equal pay liabilities.

6 SOCIAL VALUE CONSIDERATIONS

6.1 None

7 REGARD TO THE NHS CONSTITUTION

7.1 None

8 EQUALITY IMPACT ASSESSMENT (EIA)

Has the equality impact been assessed?

- (a) not needed (report does not contain proposals for new or changing policies, services or functions, financial decisions or decisions about implementation of policies development outside the Council)
- (b) No
- (c) Yes – Equality Impact Assessment attached

9 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

9.1 None

10 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

10.1 Delegated Decision 1007 – ‘Proposed expansion of Heathfield Primary School, Basford’. Published 17 September 2013.

10.2 Executive Board report – ‘Proposed expansion of Heathfield Primary School, Basford’, 17 December 2013.

11 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

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Split Site Funding Criteria

Funding Element	Basis	Primary
Block Allocation	All split site schools	£7,125
Additional caretaking staff costs	If distance between sites >400m	£14,765
Additional clerical staff costs	If distance between sites >400m	£16,795
Additional management staff costs	If distance between sites >400m	£21,313
Costs of additional telephone system	If second site <2000sqm	£1,765
	If second site >2000sqm	£4,707
Additional costs of 2nd curriculum internet connection	If distance between sites >400m	£5,296
Additional Insurance costs	If distance between sites >400m & NOR >1000	£20,669