

# Report to Cabinet

**15 March 2023**

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| <b>Subject:</b>          | Cape Primary School and Uplands Manor Primary School – Making significant changes (prescribed alternations) |
| <b>Cabinet Member:</b>   | Councillor Simon Hackett<br>Cabinet Member for Children and Education                                       |
| <b>Director:</b>         | Director Children’s Services and Education<br>Michael Jarrett   |
| <b>Key Decision:</b>     | Yes   |
| <b>Contact Officers:</b> | Rachel Hill, Project Officer<br>Sharon Woodward, Project Officer  |

## 1 Recommendations


- 1.1 That in connection with the proposed prescribed alterations to reduce the pupil admission number (PAN) of Cape Primary School, Cape Hill, Durban Road, Smethwick, B66 4SH and Uplands Manor Primary School, Addenbrooke Road, Smethwick, B67 6HT by a form of entry with effect from 1 September 2023 approval be given to:
- i) publish the appropriate statutory proposals for each school;
  - ii) delegate the decision for the prescribed alternations to the Director of Children’s Services and Education, following completion of the statutory consultation period, and to request the School Adjudicator to make a final decision on the proposals to reduce the PAN’s by a form of entry as the Authority has already determined its admission arrangements for those maintained schools for 2023/24 academic year.



## 2 Reasons for Recommendations

- 2.1 The local authority (LA) last consulted all stakeholders on its admission arrangements in October/November 2017, and Cabinet has continued to agree to publish these arrangements for subsequent years as there have been no material changes. At its meeting on 18 January 2023, Cabinet agreed to publish the arrangements for the 2024/25 academic year (Minute No. 5/23).
- 2.2 The report referenced that consultation was being undertaken to reduce the PAN of both Cape and Uplands Manor Primary Schools by a form of entry and that a separate Cabinet report was to be submitted.
- 2.3 The initial consultation was completed between 5 December 2022 to 20 January 2023. Subject to Cabinet approval to this report, statutory proposals will be published for 4 weeks following the assessment of the feedback received to the initial consultation. Consultation has been completed and no responses were received. The council will publish its statutory proposals to reduce the PAN at both schools.
- 2.4 The reduction in PAN will lessen the impact on the schools' budgets where the existing PAN is not being filled as the projected demand is considerably less than the PAN.

## 3 How does this deliver objectives of the Corporate Plan?

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|  | <p>The Best Start in Life for Children and Young People</p> <p>The recommendation in this report supports the desire of the council to focus resources on the specific needs and aspirations of the community. This contributes to the Council's Vision 2030 Ambition 1 – Raising aspirations and resilience, Ambition 3 – Young people to have skills for the future, Ambition 4 – Raising the quality of schools.</p> |
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## 4 Context and Key Issues

- 4.1 Pupil Admission Number is the number of pupils that the school can admit per year group.
- 4.2 The population growth in Sandwell over the last decade increased pressure on primary school places, resulting in a large-scale expansion programme to meet the growth in demand.
- 4.3 Due to a significant increase in demand in Smethwick, Uplands Manor Primary School increased PAN in reception from 90 to 120 in September 2011 and Cape Primary School increased its PAN in reception from 60 to 90 in September 2009. This has moved up through the schools each year and is now throughout the schools.
- 4.4 Whilst there are still small areas of population growth, overall across Sandwell, there is a decrease in the number of younger children registered with the NHS. This has led to a high level of surplus places in some of the primary school planning areas, including Smethwick, where both Schools are situated.
- 4.5 The schools are now at a point where they cannot sustain the low numbers of children that are arriving. A large portion of funding received by schools is directly related to the number of pupils attending the school. Too many vacancies mean that schools will not receive the maximum possible revenue. Therefore, the schools are proposing to reduce the number of available places to enable the schools to operate more efficiently and cost effectively.
- 4.6 In November 2022 Cape Primary School had filled 56 of the 90 places available in Reception and Uplands Manor Primary School had filled 75 of the 120.
- 4.7 In September 2022 Uplands Manor Primary made a prescribed alternation to its admission number to offer 20 focus provision places in the newly refurbished Special Educational Needs Unit. These 20 places are separate to the school's mainstream education PAN of 120.
- 4.8 **Consultation**  
All admission authorities **must** consult in accordance with paragraph 1.45 of the School Admission Code 2021 where they propose a



decrease to the PAN. Consultation must last for a minimum of 6 weeks. Admission authorities must consult with;

- a) parents of children between the ages of two and eighteen;
- b) other persons in the relevant area who in the opinion of the admission authority have an interest in the proposed admissions;
- c) all other admission authorities within the relevant area (except that primary schools need not consult secondary schools);
- d) whichever of the governing body and the local authority is not the admission authority;
- e) any adjoining neighbouring local authorities where the admission authority is the local authority; and
- f) in the case of schools designated with a religious character, the body or person representing the religion or religious denomination.

A newsletter was sent to parents/carers and the governing body at each school. The consultations were published on the Council's website Consultation page. A circular was sent out via the Council's School Communication bulletin which is available to all schools. A link to the council's consultation page was sent to neighbouring councils; Walsall, Wolverhampton, Birmingham and Dudley.

No responses to the consultation were received.

## 5 Alternative Options

- 5.1 Do nothing and keep the PAN at their existing numbers – The Reception classes are not forecast to fill to their maximum, meaning the schools will not receive the maximum funding to enable the required classes per year group. There would be an expectation from the Local Authority that the schools can still take up to the maximum number of pupils throughout the whole intake year. This may result in a high number of in-year allocations that could potentially require changes to class organisation during the school year which is detrimental to the pupils and the school.



## 6 Implications

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| <p><b>Resources:</b></p>            | <p>Financial and Staffing<br/> School funding is based primarily on numbers of children on roll. A decrease in pupil numbers means a decrease in funding. This impacts on staffing in terms of the number of teachers and teaching assistants that can be employed or retained, as well as on centralised staffing and resources that this funding contributes to.</p> <p>By changing PAN, the schools will be able to budget and provide staffing for a more realistic number of children and classes. This will give the school more financial stability and enable financial plans to ensure the best possible provision for the children across the schools. It will also enable any vacancies to be advertised for permanent staff, not temporary staff recruited with financial uncertainty, thus attracting a high calibre of teachers and teaching assistants for the children.</p> <p>Land/building implications<br/> No implications</p> |
| <p><b>Legal and Governance:</b></p> | <p>A Local Authority must have regard to the below guidance when exercising functions under The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 ('the Prescribed Alterations Regulations'). It should be read in conjunction with Parts 2 and 3 and Schedule 3 of the Education and Inspections Act (EIA) 2006 and the Prescribed Alterations Regulations. It also relates to the Establishment and Discontinuance Regulations and The School Organisation (Removal of Foundation, Reduction in the Number of Foundation Governors and Ability of Foundation to Pay Debts) (England) Regulations (2007)('the 'Removal Regulations').</p>   |



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| <b>Risk:</b>                 | <p>The Corporate Risk Management Strategy has been complied with – to identify and assess the significant risks associated with this decision / project. This includes (but is not limited to) political, legislation, financial, environmental and reputation risks.</p> <p>Two risks have been identified on the project risk register; report not being approved<br/>Increase in birth rates</p> <p>Both risks have been assessed and mitigating measures are in place.</p> |
| <b>Equality:</b>             | <p>Equality Impact Assessments has been completed. The recommendation has a positive impact on age and disability and a neutral impact on other characterises.</p> <p>School will operate more efficiently and cost effectivity meaning resources can be better used to improve a child’s education.</p>   |
| <b>Health and Wellbeing:</b> | <p>This recommendation ensures that both schools can operate efficiently providing a better work environment and better-quality teaching and learning.</p>   |
| <b>Social Value:</b>         | <p>Ensuring every child has access to a school place, and that parents / carers continue to be able to indicate their individual preferences for school places.</p>  |
| <b>Climate Change:</b>       | <p>No impact on climate change.</p>  |

## 7. Appendices

None

## 8. Background Papers

None

