EXECUTIVE DECISION

From: **Matt Dunkley CBE, Corporate Director of Children, Young People and Education**

To: **Richard Long TD, Cabinet Member for Education and Skills**

Subject: **Proposed Temporary Expansion of Mascalls Academy**

Decision Number and Title **–** 21/00016 - Proposed temporary expansion of Mascalls Academy, Maidstone Road, Paddock Wood, Kent, TN12 6LT

Key decision:

- *It involves expenditure or savings of maximum £1m*

Classification: **Unrestricted**

Past Pathway of report: N/A

Future Pathway of report: Cabinet Member Decision

Electoral Division: Sarah Hamilton – Tunbridge Wells Rural

Summary: This report sets out the proposed temporary expansion of Mascalls Academy, Maidstone Road, Paddock Wood, Kent, TN12 6LT.

Recommendation(s):
The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Education and Skills, concerning the proposals to:

a) authorise the allocation of £1,242,960 from the Children, Young People and Education Services Basic Need Capital Budget to fund a temporary expansion of Mascalls Academy, by increasing the number of Year 7 places offered in September 2022 and September 2023 from 240 to 300 places.

b) authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council with the Leigh Academies Trust.

c) authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

1. Introduction

1.1 Kent County Council (KCC), as the Local Education Authority (LEA), has a statutory duty to ensure sufficient school places are available. The County Council's Commissioning Plan for Education Provision in Kent 2020-24 is a five-year rolling plan which is updated annually. It sets out KCC's future plans as Strategic Commissioner of Education Provision across all types and phases of education in Kent.

1.2 The Commissioning Plan forecasts for the Tonbridge and Tunbridge Wells Non-Selective Planning Group indicate that there will be sufficient places at the start and end of the Plan period, but there will be a deficit of 50 Year 7 places in 2022-23 and 36 in 2023-24. These deficits will require up to 60 temporary places to be offered via existing secondary schools.

2. Body of the report

2.1 Mascalls is a co-educational comprehensive school for students of 11-18 years that converted to academy status in July 2011 and is part of the Leigh Academies Trust. The school was rated 'Good' by Ofsted at its November 2016 short inspection. Mascalls provides a broad range of educational opportunities for all students regardless of their ability or background and aims to help them develop their potential to the full. The school has excellent ICT and sports facilities and in 2006 a brand-new building, providing state-of-the-art accommodation for Design and Technology, Art, Drama, Dance and Music was opened.

2.2 The school and Leigh Academies Trust are willing to expand the school and welcome the opportunity to temporarily expand for 2 years. Future housing development in the area is likely to necessitate a permanent expansion of the school in the longer-term.

2.3 Following discussion regarding the accommodation needs of the school, KCC has agreed with Leigh Academies Trust that, should this proposal go ahead, it will be a school managed scheme, with KCC providing the Basic Need funding and the Trust undertaking the necessary capital works. The Trust regularly undertakes capital work relating to expansion and maintenance of its schools and has the organisational infrastructure to manage such schemes.

3. Alterative options

3.1 There are limited options for temporary expansion of the schools within the Tonbridge and Tunbridge Wells Non-Selective Planning Group; the majority of the schools have been expanded permanently within the past few years and temporary expansions at other schools would not be cost effective. On balance, the proposed temporary expansion of Mascalls Academy offers a location where there is demand generated by new housing developments at an appropriate capital cost.

4. Financial Implications

4.1 Capital Funding: Feasibility work by the Trust has estimated the cost of delivery to be £1,242,960, this cost is in line with the DfE's benchmark cost per pupil place. It is proposed that it will be a school managed scheme. KCC will provide the allocated Basic Need Funding, in return for the school providing the necessary accommodation and resources to meet the temporary increased Year 7 intake from 240 to 300 places for 2 years. The roles and responsibility of each party will be formally set out through a legal contract between KCC and the Trust. KCC will monitor progress regularly during the building works to ensure that the accommodation needs are being met.

4.2 Revenue Funding: Should the scheme progress, £6,000 per new learning space would be provided towards the cost of furniture and equipment. This would be provided to the school to purchase required equipment. In addition, an allowance of up to £2,500 may be payable to outfit each new teaching room with appropriate ICT equipment, such as touch screens or projection equipment. The school would receive funding for the additional pupils that it admits in line with the funding allocated to schools through KCC's funding formula.

5. Legal implications

5.1 The temporary expansion will be subject to a legally binding and enforceable contract being in place between KCC and Leigh Academies Trust.

5.2 The provision of sufficient school places is a statutory duty and contributes to the Strategic Business Plan Priorities to ensure that "Children and Young People in Kent get the best start in life".

6. Equalities implications

6.1 An Equality Impact Assessment (EqIA) has been produced and no issues were identified in the early stage EqIA, but the assessment will be reviewed as the project continues.

7. Governance

7.1 The proposed decision will authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council with the Leigh Academies Trust. It will also authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

8. Consultation

8.1 In accordance with the Department for Education's Statutory Guidance "making significant changes to an existing academy" the expansion proposal can be fast tracked without the Trust having to provide a full business case to the EFA. However, the academy will be required to carry out a public consultation with stakeholders as part of their fast-track application.

9. Views

9.1 The View of the Local Member
The KCC Member for Tunbridge Wells Rural, Sarah Hamilton, has been consulted on this proposal.

9.2 The View of the Area Education Officer
The Area Education Officer fully supports this proposal as it provides the temporary non-selective Secondary places that are needed to ensure a school place is available for every child that is forecast to require one in September 2022 and 2023 in Tonbridge and Tunbridge Wells.

10. Conclusions

10.1 This report sets a proposal to release funding from the Basic Needs Capital Budget that is needed to temporarily expand Mascalls Academy via a school-led building programme. This expansion is needed to ensure there is sufficient non-selective provision to meet the forecast demand for places within the Tonbridge and Tunbridge Wells Non-Selective Planning Group during the academic years 2022/23 and 2023/24.

12. Recommendation(s):

12.1 The Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Education and Skills , concerning the proposals to:

a) authorise the allocation of £1,242,960 from the Children Young People and Education Services Basic Need Capital Budget to fund a temporary expansion of Mascalls Academy, by increasing the number of Year 7 places offered in September 2022 and September 2023 from 240 to 300 places.

b) authorise the Director of Infrastructure, Strategic and Corporate Services in consultation with the General Counsel and Director of Education to enter into any necessary contracts/ agreements on behalf of the County Council with the Leigh Academies Trust.

c) authorise the Director of Infrastructure, Strategic and Corporate Services to be the nominated Authority Representative within the relevant agreements and to enter into variations as envisaged under the contracts.

13. Background documents

13.1 Increasing Opportunities, Improving Outcomes: Kent County Council's Strategic Statement 2015-2020
Increasing Opportunities, Improving Outcomes

13.2 Kent Commissioning Plan for Education Provision 2020-2024
Kent Commissioning Plan for Education Provision 2020-2024

14. Contact details

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