

# KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION TAKEN BY:**

**Cabinet Member for Education and Skills**

**DECISION NO:**

**21/00025**

**For publication****Key decision: YES**

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

**Subject Matter / Title of Decision**

Proposed Expansion of Invicta Grammar School

**Decision:**

As Cabinet Member for Education and Skills, I agree to:

- (i) authorise the allocation of £2,438,095 from the Children Young People and Education Services Basic Need Capital Budget to fund the permanent expansion of Invicta Grammar School, by increasing the Published Admission Number (PAN) from 192 places to 240 places from September 2022.
- (ii) 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 Valley Invicta Academies Trust.
- (iii) 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.

**Reason(s) for decision:**

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.

The Commissioning Plan forecasts for the Maidstone and Malling Selective planning group indicates a deficit of Year 7 places throughout the Plan period. The deficit builds during the early years of the Plan period and peaks at -106 places in 2023-24, before settling into around a 90 places shortfall for the last 3 years of the forecast period.

Within this planning group, some schools have admitted over PAN in recent years, creating temporary additional selective capacity. It is anticipated that this pattern will continue and will accommodate the immediate forecast deficit of 28 places in 2021-22. However, from 2022-23 there is a need to commission up to 3FE of additional permanent provision and a further 1FE (or 30 temporary places) may be needed to meet the 2023-24 demand.

## Background

In recent years, Invicta Grammar School has accepted bulges up to 240 Year 7 pupils, which is 48 places above its PAN. These additional places have provided provision that ensured there were sufficient girls grammar places available in the Maidstone and Malling planning group. The latest KCP forecasts indicate a continued and growing demand for grammar places and in particular girls' provision.

However, Invicta Grammar School no longer has the physical capacity to accept pupils over their PAN beyond September 2021 without additional accommodation. Therefore, KCC intends to commission a Basic Need expansion of Invicta Grammar School to enable the school to continue to offer 240 places on a permanent basis from September 2022.

It is agreed with Valley Invicta Academies Trust (VIAT) that this would be a school managed scheme, with KCC providing the Basic Need funding and the Trust procuring and managing all capital works.

## Financial Implications

**Capital Funding:** It is proposed that it will be a school managed scheme, the Trust has engaged architects and quantity surveyors to determine the cost of the capital works, which is £2,438,095. This represents a cost of £25,396.83 per pupil place, which compares to the DfE benchmark of £26,628 per place.

KCC will provide the allocated Basic Need Funding in return for the school providing the necessary accommodation and resources to increase the school's PAN from 192 to 240 places. The roles and responsibility of each party will be formally set out through a legal contract between KCC and VIAT. KCC will monitor progress regularly during the building works to ensure that the accommodation needs are being met.

**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.

## Legal implications

The proposed expansion will be subject to a legally binding and enforceable contract being in place between KCC and the Trust.

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".

## Equalities implications

An Equality Impact Assessment (EqIA) has been produced and no issues were identified.

## **Cabinet Committee recommendations and other consultation:**

The Children's and Young People Cabinet Committee considered the decision on 9<sup>th</sup> March 2021.

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 ESFA. However, the academy may be required to carry out a public consultation with stakeholders as part of their fast-track application.

## Any alternatives considered and rejected:

There are only 2 girls' grammar schools within the planning group and therefore the options for

expanding girls' grammar provision are limited to these schools. KCC is currently working with both schools to assess the possibility of expansion, as it is likely it will be necessary for both schools to expand to meet the forecast deficit.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

None



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signed

**19 March 2021**.....  
date