

**From: Rory Love, Cabinet Member for Education and Skills**

**Sarah Hammond, Corporate Director of Children, Young People and Education**

**To: Children’s and Young People’s Cabinet Committee – 29 November 2022**

**Subject: Commissioning Plan for Education Provision in Kent 2023-27**

**Classification: Unrestricted**

**Past Pathway of report: None**

**Future Pathway of report: Cabinet 26 January 2023**

**Electoral Division: All**

**Summary:** This report provides the Committee with the opportunity to comment on the Commissioning Plan for Education Provision in Kent 2023-27 prior to final consideration and approval by Cabinet.

**Recommendation(s):**

The Cabinet Committee is asked to consider and endorse, or make recommendations to, the Cabinet Member for Education and Skills on the Commissioning Plan for Education Provision in Kent 2023-27, prior to the final version being considered and approved by Cabinet on 26 January 2023.

**1. Introduction**

1.1 The County Council is the Strategic Commissioner of Education Provision in Kent. The Commissioning Plan for Education Provision in Kent (KCP) is an annual document which sets out how we will carry out our responsibility for ensuring there are sufficient high quality places, in the right places for all learners, while at the same time fulfilling our other responsibilities to raise education standards and promote parental preference. The Plan details the expected future need for education provision, thereby enabling parents and education providers to put forward proposals as to how these needs might best be met.

1.2 The KCP sets out the principles by which we determine proposals, and it forecasts the need for future provision. It also sets out in more detail, plans to meet the commissioning needs which arise in each district and borough in Kent during the next five years.

1.3 This updated KCP is a ‘live’ document which underpins our on-going dialogue and consultation with schools, district and borough councils, diocesan authorities, KCC Members and local communities, to ensure we meet our responsibilities.

**2. The Demographic Context**

- 2.1 Information from the Office for National Statistics shows that in 2005 there were 15,613 live births in Kent (excluding Medway). The number of births rose each year up to 2012 when there was a peak in births of 18,147 children. Since this time, birth numbers have fallen to 16,633 in 2021. KCC will continue to monitor this data and forecast its impact over time.
- 2.2 As we have forecast for a number of years the increased number of births until 2012, which required us to add significant primary school places, is now being felt in the secondary sector. Between the 2020-21 and 2025-26 academic years we forecast the secondary school age population resident in Kent will rise by 7,567 pupils.
- 2.3 The number of children on the rolls of Kent schools is driven by the size of the school-aged population in the county but is also influenced by the number of children resident outside of Kent on the rolls of the county's schools, the take-up of state funded school places and other factors such as the pace and type of new housing. Due to this a change in the overall school-aged population in the county does not on its own necessarily translate into the same change in the number of children on the rolls of schools in Kent. Additionally, changes in the overall school age population at County or district level do not necessarily mirror changes in population at smaller geographic levels, such as planning groups; these are explored in Section 7.
- 2.4 The pressure for specialist school provision continues to grow. As of January 2022, this totalled 17,733 children and young people with an EHCP. This is an increase of 2,452 since January 2021, an increase of 16% compared to 9.9% in England. In Kent 33.5% (31.1% in 2021) are educated in mainstream (including SRPs), whilst the England figure is 40.5%. In Kent 39.7% of children and young people with EHCPs are educated in a special school compared to 34.8% nationally.

### 3. Our Commissioning Intentions

- 3.1 The KCP 2023-27 identifies the need for additional permanent and temporary mainstream school and specialist places each year as follows. Additional provision will be secured through a combination of expanding existing schools and establishing new ones.

#### Primary School Commissioning Intentions:

by 2023-24	by 2024-25	by 2025-26	by 2026-27	Between 2027-30	Post 2031
1FE 36 Year R temp places	2.8FE 70 Year R temp places	3.3FE 70 Year R temp places	6.5FE	22.3FE	6FE

Total of 41.9FE across the Plan period and up to 176 temporary Year R places

#### Secondary School Commissioning Intentions

by 2023-24	by 2024-25	by 2025-26	by 2026-27	Between 2027-30	Post 2031

by 2023-24	by 2024-25	by 2025-26	by 2026-27	Between 2027-30	Post 2031
9FE 285 Year 7 temp places	9FE 180 Year 7 temp places	3FE 45 Year 7 temp places	11FE 90 Year 7 temp places	18.5FE 30 Year 7 temp places	2FE

Total of 52.2FE across the Plan period and up to 630 temporary Year 7 places

## SEND Commissioning Intentions:

by 2023-24	by 2024-25	by 2025-26	by 2026-27
24 places	220 places	490 places	120 places

A total of 854 permanent places across the Plan period

### 4. Financial Implications

- 4.1 The Local Authority as Strategic Commissioner of Education Provision has a key role in securing funding to provide sufficient education provision in the County, particularly in schools.
- 4.2 The pressure on the County's Capital Budget continues, particularly as demand for secondary places and for specialist places grows. The cost of delivering school places is currently met from Basic Need grant from the Government, prudential borrowing by the County Council, Section 106 property developer contributions and the Community Infrastructure Levy (CIL). Government funding for 'Basic Need' is allocated on a formula based upon information provided by local authorities concerning forecast numbers of pupils and school capacity.
- 4.3 Basic Need funding is allocated by Government on the basis of a comparison of school capacity (not pupil admission numbers) against forecast mainstream pupil numbers from reception year to year 11 uplifted to provide a 2 per cent operating margin. Where capacity is lower than forecasts, the DfE provides funding towards the gap.
- 4.4 The allocations for the 2023-24 financial year are based upon the projected need for new places by September 2024 (the start of academic year 2024/25); Kent has been allocated £42.7m. The 'lumpy' nature of establishing new school provision means that the County Council incurs the majority of the capital costs at the outset of mitigating a forecast place deficit, e.g. expanding a school by a whole FE; whereas the Basic Need formula does not account for this and provides the Council with funding for places in an incremental way over a longer period of time.
- 4.5 One funding option which can assist with or overcome the challenges of forward funding new schools is the Free Schools programme. We encouraged promoters to submit bids to Waves 13 and 14, with some success. However, as the free school programme has become more restrictive, being targeted to certain geographical areas of the Country in relation to mainstream schools, and of limited number for special schools and alternative provisions, it will not be the answer to all our needs. Additionally, it is not risk free for the Local Authority. Delays in delivery can require the Authority to put in place temporary provision with the resultant unplanned expense.

### 5 Legal implications

- 5.1 Each project identified in the KCP will be subject to a separate consultation and decision-making process. The legal implications of each proposal will be identified at that time.

## 6. Equalities implications

- 6.1 The equality impact assessment considers whether the commissioning principles and guidelines contained within the KCP may have an impact (either positive or negative) on any protected groups and if so what action, if any, should be taken to mitigate the negative impacts. Separate, more detailed equalities impact assessments will be completed as individual project consultations come forward to consider the impacts on any protected group arising from that individual education proposal.

## 7. Conclusion

- 7.1. The commissioning intentions outlined in the KCP are planned to ensure there are sufficient school places, in the right locations and at the right time in order to fulfil our legal responsibility to offer an appropriate school place to all who require one. At the same time, we are committed to reducing the budget pressure, but without compromising on the high-quality provision our children and young people deserve.

## 8 Recommendation(s):

8.1 The Cabinet Committee is asked to consider and endorse, or make recommendations to, the Cabinet Member for Education and Skills on the Commissioning Plan for Education Provision in Kent 2023-27, prior to the final version being considered and approved by Cabinet on 26 January 2023.

## 9. Background Documents

- 9.1 Commissioning Plan for Education Provision in Kent 2022-26  
<https://www.kent.gov.uk/education-and-children/schools/education-provision/education-provision-plan>
- 9.2 Early Years and Childcare Strategy 2020-23  
<https://www.kent.gov.uk/about-the-council/strategies-and-policies/education-skills-and-employment-policies/early-years-and-childcare-strategy-2020-2023>
- 9.3 Kent Strategy for SEND 2021-2024  
<https://www.kent.gov.uk/education-and-children/special-educational-needs/send-strategy/strategy-for-children-with-special-educational-needs-and-disabilities>

## 10. Contact details

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