



Report to Policy Committee

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Report of: *Director of Integrated Commissioning*

Report to: *Education Children and Families Policy Committee*

Date of Decision: *31st January 2023*

Subject: All Phase Mainstream Commissioning Plan 2023-2026 – decision to consult with key stakeholders

Has an Equality Impact Assessment (EIA) been undertaken? Yes No

If YES, what EIA reference number has it been given? People/TB/BK/280722

Has appropriate consultation taken place? Yes No

Has a Climate Impact Assessment (CIA) been undertaken? Yes No

Does the report contain confidential or exempt information? Yes No

If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-

*“The (**report/appendix**) is not for publication because it contains exempt information under Paragraph (**insert relevant paragraph number**) of Schedule 12A of the Local Government Act 1972 (as amended).”*

Purpose of Report:

To share with members the Local Authority’s draft All Phase Mainstream Commissioning Plan 2023-2026, covering Early Education & Childcare, Primary, Secondary & Post 16 sectors. **Please see Annex 1.**

To seek Committee agreement to share the draft plan with key stakeholders and other interested parties in the Spring 2023 via consultation.

A briefing of the ‘Headlines’ of the All Phase Mainstream Commissioning Plan was provided to members at the December Committee.

Should members take the decision to agree to proceed with the consultation, feedback from the consultation will then be taken into account prior to a proposed formal publication of the Commissioning Plan in late summer 2023.

Recommendations:

We recommend that the Committee:

- 1) Notes the content of the Mainstream Commissioning Plan 2023-2026 and associated Action Plans, including the Vision, Values, Principles and our approach to sufficiency planning.
- 2) Notes the intention to share the draft plan with key stakeholders and other interested parties via a consultation in the Spring 2023 and endorses the plan for this purpose.
- 3) Advise how Committee members wish to be engaged in the Spring Consultation process e.g. workshop/focus group etc.

Background Papers:

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Mark Sheikh & Damien Watkinson
		Legal: Nadine Wynter
		Equalities & Consultation: Bashir Khan
		Climate: Jessica Rick
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	SLB member who approved submission:	<i>Joe Horrobin</i>
3	Committee Chair consulted:	<i>Mick Rooney</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>Sam Martin</i>	Job Title: <i>Head of Commissioning Vulnerable Adults</i>
Date: <i>24/1/2022</i>		

1. PROPOSAL

- 1.1 Sheffield City Council has statutory duties under several pieces of legislation including the Education Act 1996, the Childcare Act 2006 and the Children and Families Act 2014 to ensure sufficient childcare and school places, promote parental choice, diversity, and fair access.
- 1.2 In order to ensure the Local Authority continues to meet its statutory duties, a mainstream Commissioning Plan covering the period September 2023 –August 2026 has been developed (**see Annex 1**). This Commissioning Plan 2023-2026 is a three-year rolling plan that will be reviewed annually. It sets out how the Local Authority, in accordance with its statutory duty, seeks to ensure there are sufficient learning places in the right locations to meet demand, while at the same time fulfilling our other responsibilities to raise education standards.

Specifically this means:

- Ensuring sufficient good quality Early Education and Childcare provision for working parents and those in education or training, and access to Funded Early Learning places.
 - Providing a good quality primary and secondary school places for every child when pupil populations are high and managing surplus places when pupil populations fall.
 - Ensuring sufficient good quality post 16 places for young people to transition into adulthood.
- 1.3 Sheffield experienced a 25% increase in births between 2002 and 2012, after which births reduced. Office for National Statistics forecasts suggest that the birth rate will continue to remain low with gradual year on year increases to the end of the decade. This increase or ‘bulge’ in population initially put pressure on the primary sector, but now the sector is experiencing a surplus of places.
- 1.4 Over the planning period 2023-2026, our forecasts show that, in line with reducing births, there will continue to be areas of falling demand for early education and childcare and primary places, but the level of surplus places varies across the planning areas. This larger birth cohort has moved its way through the early years and primary sector and is now in the secondary sector. Throughout this period of growth, places have been added through the primary and secondary sector to manage the larger birth cohort.
- 1.6 Secondary school places have been at or near full capacity since 2018/19. The current city-wide picture for secondary school places forecasts a potential deficit of places across the city from 2020-2024, reaching a high point in 2023/24 after which a surplus is forecast to develop in some parts of the city.

Growing demand for Secondary School places is not evenly distributed across the city

- 1.7 Over the planning period 2023-2026 our forecasts show that there will continue to be areas of growing demand for secondary school places, but demand is not evenly distributed across the city. We have particular pressure for secondary school places in Planning Area 1 in the southwest of the city in addition to other

planning areas, e.g., Planning Area 5 which is in the northeast of the city. However, beyond this planning period, forecasts show that there will be areas across the city with declining demand for secondary places.

- 1.8 For Post 16, Year 12 learner numbers are forecast to increase in 2023/24 and will continue to rise each year, reaching a 'peak' beyond this planning period in 2028/29 where we predict a Year 12 population of over 7,300 pupils.
- 1.9 Demand is rising for Special Educational Needs and Disabilities places and is forecast to continue to rise, driven primarily by pupils with Autism Spectrum Disorder and those with Social, Emotional and Mental Health needs. Sufficiency covers provision for children with Special Educational Needs and Disabilities across all settings including mainstream and specialist school places.

Many factors & variables affect the demand for places, some of which cannot be planned for

- 1.10 Place planning is a complex process, influenced by demographics, mobility, and housing yield, as well as parental preference, geography, travel, and transport. Twice yearly reviews of population data and the tracking of live school applications, as well as dialogue with neighbouring authorities, help to manage the risks associated with these variables. With rapid shifts in economic conditions for families and changing patterns of migration, planning for 'Basic Need' requires a proactive approach to best respond to both short and medium-term demand as the primary, secondary and special school pupil populations fluctuate.
- 1.11 Examples of unplanned variables include inward and outward migration, including migration into and out of the UK; cross border movement (children moving to schools in other local authority areas); changes in the housing market and housing developments; parental preference; changes in private education provision etc.

Creating additional school places is challenging

- 1.12 The context for planning for future early education, childcare, school and post 16 places includes the limited availability of capital funding. This poses the challenge of finding creative, cost effective and value for money solutions that provide the sufficient numbers of high-quality places required, where they are needed and when they are needed, so that children and young people can access provision locally. The scale of the development and associated upfront costs of establishing a new school building present a challenge when funding is limited, and different funding sources are required to align for a single purpose.
- 1.13 The creation of new provision is complex and cannot always be achieved by incremental expansion and growth of existing provision. The introduction of new places in the wrong location or at the wrong time can create sustainability challenges for existing schools, which are already under increasing financial pressures. With this in mind, when planning school places it is important that we do not create an over-supply of places.

Local Authority's plans for new homes in the city, potential pupil yield and impact on demand for school places

- 1.14 Sheffield City Council aims to deliver 2,100 new homes per year by 2039 with 50% of these being in the central area. The council has also embarked on an ambitious programme to deliver additional new council homes by 2029 – a combination of new builds and purchased properties. As housing development plans progress in the medium to longer term, future projections for school planning areas may change as housing development plans progress in the medium to longer term. Future versions of the Commissioning plan will provide more clarity on these issues.

We have already worked to meet our statutory duties – progress to date

- 1.15 **Early Years:** Produced annual Childcare Sufficiency Assessments; monitored the impact of Covid on the childcare market; completed a Parental Childcare Survey; completed a Childcare Provider survey; stimulated demand; promoted Tax Free Childcare; encouraged providers to take a sustainable business approach; provided Quality Improvement Support to providers; provided advice/guidance to parents/carers; maintained a Directory of all Sheffield Childcare Providers.
- 1.16 **Primary:** Negotiated additional school places in areas of deficit; agreed temporary reduction in Pupil Admission Numbers at schools; consulted with schools and Trusts; introduced falling rolls fund for 2021/22.
- 1.17 **Secondary:** Negotiated additional school places; commissioned new schools; agreed permanent expansions at schools; consulted with schools and Trusts; moved to a city-wide allocations system.
- 1.18 **Post 16:** Opened a new free school sixth form academy; introduced new sixth form places at secondary schools from 2023/24; proportionate sixth form increases linked to school expansions; increased sixth form provision for young people with Special Educational Needs and Disabilities.
- 1.19 **SEND within mainstream schools:** Several interventions have already been put in place, including additional support for Special Educational Needs Co-ordinators and growth of Integrated Resources, where children with Special Educational Needs and Disabilities split their time between mainstream classes and receiving support in the Integrated Resource.

Next steps: Action Plans for each sector to ensure we continue to meet our statutory duties and own ambitions

- 1.20 **Early Years:** Reduce inequalities through provision of sufficient, high quality, accessible, and inclusive early education and childcare places; promote inclusion by offering support and information to parents and professionals; consider the impact of planned housing on the likely demand for early education and childcare places across the city; raise standards by prioritising recruitment and retention of the workforce and professional development opportunities; promote early education and childcare.
- 1.21 **Primary:** Temporarily reduce Pupil Admission Numbers where appropriate; work with identified schools where pupil numbers are not expected to recover in the long term to explore suitable options; temporary / permanent expansions of schools in

areas of high local demand; consider the impact of new housing developments and changing migration patterns on primary school demand; effective use of the school estate.

1.22 **Secondary:** Increase Pupil Admission Numbers with existing schools; permanent expansions in the southwest of the city; consider the impact of planned housing on the likely demand for secondary places across the city; explore options for temporary and potential permanent expansions in Planning Area 5; create a falling rolls plan post 2024; effective use of the school estate.

1.23 **Post 16:** Ensure sufficiency of post 16 places; consultation with post 16 sector; consider the impact of planned housing on the likely demand for post 16 places across the city; ensure sufficient post 16 Special Educational Needs and Disabilities places.

1.24 **SEND within mainstream schools:** . From a mainstream perspective, in order to meet this rising demand, our intention is to support and enable more mainstream inclusion. Delivering this requires us to be innovative, recognising the challenges, and working in partnership with our localities, schools, and academy trusts. A separate SEND strategic sufficiency plan covers this area in more detail.

2. HOW DOES THIS DECISION CONTRIBUTE?

2.1 As part of laying the foundations for our future, we want pupils in Sheffield to have access to a wide range of educational opportunities to achieve their full potential as set out in the 'Our Sheffield: One Year Plan'. Working alongside city partners such as schools and Trusts, with ambition, openness and purpose, towards a bright future for our city and its pupils.

2.2 The Commissioning Plan will ensure that the Local Authority meets its statutory duties under the Education Act to provide sufficient school places, promote parental choice, diversity and fair access. Ensuring that there are enough school places for every school-age child is a fundamental responsibility of local government and is essential to the Sheffield City Council's focus on enabling children to have a great start in life, achieve their full potential, and contribute to the success of the city. At the heart of the vision for increasing school places in Sheffield is the Council's role in guaranteeing excellent education outcomes and equitable access for all.

2.3 The vision is for all Sheffield families to have access to great, inclusive schools in every area of the city. This means schools ensuring each child reaches their potential, equal access for the most vulnerable children, schools at the heart of their communities, and getting the best value from all funding opportunities.

3. HAS THERE BEEN ANY CONSULTATION?

3.1 Consultation on our Commissioning Plan for 2023-2026 is an important stage in the policymaking process. In the first instance it allows the evidence base to be built, secondly, it ensures transparency in the process, and thirdly it gives our stakeholders understanding and ownership of the ultimate outcomes.

3.2

Should a decision be taken by Members that this Commissioning Plan 2023-2026 can be published, we will undertake an informal consultation on this draft in the spring 2023, seeking the views of our key stakeholders and partners within the early education, childcare, primary, secondary and post-16 sectors including: parents and carers, parents' forums, Learn Sheffield, early education and childcare providers, school leaders (via the Primary and Secondary Heads Partnership Group), governors, academy trusts, dioceses, colleges, training providers, local planning authorities, South Yorkshire Integrated Care Board, developers and other interested parties. All consultation responses will be analysed and fed back into the policy making process which includes future drafts of the Commissioning Plan.

3.3

Individual Statutory Consultations will be undertaken as appropriate, as part of any statutory process of carrying out any interventions within the sectors e.g. in order to address a deficit of pupil places in 2023/24, a Statutory Consultation will be undertaken by the specific school(s) which the Local Authority will be working with to expand provision.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

4.1.1 Decisions need to take into account the requirements of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This is the duty to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

4.1.2 The Equality Act 2010 identifies the following groups as a protected characteristic: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

4.1.3 An Equality Impact Assessment has been carried out and highlights that the Commissioning Plan primarily impacts the children and young people in the 0-18 age group for pupils within the Early Years and school age cohorts which will include BME pupils and those with Special Educational Needs and Disabilities (SEND). The impact will also be felt by different communities and localities. Expansions at schools also impact on other factors such as Climate, Transport, Ecology etc within a specific Planning Area. Individual project proposals will be assessed for cumulative impact and have their own Equality Impact Assessment as part of the project.

4.2 Finance Implications

4.2.1 The council has now received details of its Basic Need Funding Allocation (Central Government Capital Funds for the creation of School Places) up to 2024/25, these

total £9.8m. Existing commitments from this and balance brought forward from previous years leaves £5.5m available for investment.

4.2.2 The capital costs associated with any proposed expansions mentioned within this Commissioning Plan (not including Early Years places for which no specific capital funding is received) will initially be met from this remaining balance, but each project will be subject to its own Capital and Revenue clearance and approval process. Indications from discussions with DfE are that additional Basic Need funding may be available from 2025/26 to meet the cost of any future expansions.

4.2.3 Schools will be allocated any funding for growth in line with the relevant financial year's Growth Funding Policy, subject to any changes in national guidance and legislation surrounding The Schools and Early Years Funding Regulations.

4.3 Legal Implications

4.3.1 The proposed All Phase Mainstream Commissioning Plan outlined in this report will support the Council to meet its statutory duties under the Education Act 1996, the Childcare Act 2006 and the Children and Families Act 2014. These duties are referenced in paragraph 1.1 of the report.

4.3.2 As mentioned in section 3 of the report, the Commissioning Plan will be subject to various forms of consultation. Once all the consultation responses have been received and analysed any legal implications will be considered at that time.

4.4 Climate Implications

4.4.1 As part of this overarching strategic plan for education and childcare commissioning, we need to consider the climate impact. Due to the high-level nature of the plan, we are unable to complete a full Climate Impact Assessment, however we have used the Climate Impact Assessment Team's guidance to ensure we consider the relevant climate factors and how we can work to reduce our climate impact. When specific projects are developed, we will complete a full Climate Impact Assessment using the Climate Impact Assessment Tool, so we can clearly report on the climate impact and ensure we are reducing the impact wherever possible. In producing the Climate Impact Assessment, we have consulted the Sustainability & Climate Change team.

4.5 Other Implications

4.5.1 No further implications have been identified.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 No alternative options have been considered.

6. REASONS FOR RECOMMENDATIONS

6.1 The Commissioning Plan will ensure that the Local Authority meets its statutory duties under the Education Act to provide sufficient school places, promote

parental choice, diversity and fair access. Consultation on our Commissioning Plan for 2023-2026 is an important stage in the policymaking process. In the first instance it allows the evidence base to be built, secondly, it ensures transparency in the process, and thirdly it gives our stakeholders understanding and ownership of the ultimate outcomes.

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