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**Report of Children's Services**

**Report to School Organisation Advisory Board**

**Date: 13 September 2012**

**Subject: Recommendation on the preferred bidder in competitions for new primary schools.**

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**Executive Summary.**

1. Leeds City Council has a statutory duty to ensure sufficiency of school places. The basic need programme represents the Council's response to the demographic pressures in primary school provision. Through this programme it has delivered 705 new reception places since 2009. Public consultation was held in September and October 2011 on the need for new primary schools at Florence Street in Harehills and on the site of the former South Leeds Sports Centre. Executive Board confirmed these specifications, including the use of the sites, and agreed to proceed with the competitions in January 2012. This entailed publishing two statutory notices, one inviting interested parties to submit bids to run the schools, and the second publishing details of the bids and inviting comments. The second notice expired on 20 August 2012.
2. Leeds City Council Executive Board is the decision maker for proposals relating to school organisation. It has set up the School Organisation Advisory Board (SOAB) to consider proposals and make recommendations when objections to a statutory notice are received, or where otherwise appropriate. This will be the first and last time SOAB considers a competition, as the legislation has since changed. The report describes the proposals, the representations and Children's Services response to them, and the relevant background documentation. The report comments on the bids and their strengths, and invites SOAB to make their recommendations.

## **1 Purpose of this report**

- 1.1 This report describes the outcome of two competitions held to establish new primary schools in Harehills and south Leeds, and seeks a recommendation on which bidders may be suitable to run the new schools.

## **2 Background information**

- 2.1 Leeds City Council has a statutory duty to ensure sufficiency of school places. The basic need programme represents the Council's response to the demographic pressures in primary school provision. As part of this programme in July 2011 Executive Board initially approved consultations on the need for two new primary schools at Florence Street in Harehills and the former south Leeds sports centre. It earmarked the sites for this use, and the consultations ran from 12 September to 21 October 2012.
- 2.2 On 4 January 2012 Executive Board considered the outcome of the consultation. It approved the specifications including site location, communities they would serve, number of pupils, age range, gender, SEN and early years provision, and approved moving to the formal stage. This entailed publishing two statutory notices for each proposal, one inviting interested parties to submit bids to run the schools based on the approved specifications, and the second publishing details of the bids and inviting comments.
- 2.3 The first 'Invitation to Bid' notices were published on 20 January 2012 and expired on 18 June 2012. Six responses were received for the Harehills school, and four for the South Leeds School. The second 'Summary of Bids' notices were published on 9 July 2012 and expired on 20 August 2012, and invited people to express their views on the various bids. Summary documents were provided and public meetings were held where the public could talk to the bidders. Seven written responses were received for Harehills, and 114 for South Leeds. In addition, the proposers were invited to discuss their proposals with officers from the Learning, Skills and Universal Services team in Children's services.
- 2.4 This report comments on the various bids received, and comments on their various strengths. SOAB are invited to comment on the proposals, with any observations on the bids which they feel they could recommend, and any they feel they could not recommend.

## **3 Main issues**

- 3.1 The statutory notices complied with all legislative requirements applicable at that time, and with local good practice. The invitation to bid notice resulted in six academy bids for Harehills; Academies Enterprise Trust, The Co-Operative Trust, Lilac Sky Schools, LEAF Academy Trust, Leeds Muslim College and Rainbow Schools. The South Leeds invitation to bid resulted in four bids; academy bids from Academies Enterprise Trust, Lilac Sky Schools and Rainbow Schools, and a foundation school bid from The Learning Trust South Leeds. A brief summary of the proposers can be found in Appendix 1. The authority is pleased to have received such significant interest and strong bids from a diverse range of proposers.

- 3.2 Lilac Sky schools subsequently withdrew from both competitions, stating their lack of resources as the reason.
- 3.3 The summary of bids notices were published over 4 full pages of the Yorkshire Evening Post, and in the Yorkshire Post. For each proposal, a daytime and evening public meeting were held, with informal consultation in between. These meetings allowed the public to meet all the proposers, and ask questions. Information was also distributed widely including through local schools, early years providers and websites, post offices, libraries, doctor's surgeries, community groups and area management officers. Briefings were also provided for local ward members and lead members. Copies of the notes from these meetings, and the written responses received can be found at:

<http://www.thefamilyhubleeds.org/content.aspx?ref=HTMLFiles/educationinleeds/harehillsconsultation.html>

<http://www.thefamilyhubleeds.org/content.aspx?ref=HTMLFiles/educationinleeds/southleedsconsultation.html>

or requested from the school organisation team on 0113 2243867 or via [educ.school.organisation@leeds.gov.uk](mailto:educ.school.organisation@leeds.gov.uk)

- 3.4 The invitation to bid and bid responses content is prescribed by law, and uses a template format. All bids are assessed against this published set of requirements ensuring transparency, In addition to the core requirements for the invitation to bid, a number of local considerations which emerged from the initial consultation were included:

**Harehills**

- Describing how the buildings and play area would be made available for community use
  - Including single sex changing facilities for community use
  - Describing how the school would offer local employment opportunities
  - Describing how it would serve the local community through its admissions policy
- There were also some views that the authority should submit a bid to run the school. Concerns were also raised that the school should be held accountable ongoing regarding those specification details. There would also be further work required to analyse and address the issues regarding screening of the adjacent waste site.

**South Leeds**

- Describing how the site could also provide sports usage, in particular a swimming pool
- Describing how the school would facilitate ongoing community access to the sports pitches
- Describing how it would serve the local community through its admissions policy

- 3.5 Local Authorities are also able to apply their own local context, intelligence and priorities in assessing the bids and choosing a preferred bidder. The key

considerations in reaching a conclusion on the preferred bidder are detailed below, and include the issues raised through the public meetings and written responses.

### **3.6 Local experience and knowledge; evidence of partnership working in these localities.**

- 3.6.1 Schools in the areas are members of local clusters, which also involve other stakeholders. These deliver the extended services which are outside individual partner's remits, but which collectively provide all the wrap around services essential to meeting the needs of the Children's and Young People's Plan. Each area has its own highly specific needs, and relationships with local schools and clusters will be essential in ensuring comprehensive but non overlapping services are provided which meet those needs. The bidders were invited to describe what their contribution to such clusters would be, and which clusters they envisaged working with.
- 3.6.2 There was a range of experience on understanding the specific needs of these communities. The Co-Operative and LEAF already operate schools in the immediate vicinity of Harehills, and The Learning Trust South Leeds already operate schools in the inner south. Leeds Muslim College are already heavily involved with families in the immediate vicinity of the new Harehills school through their work with existing schools, providing facilities such as adult learning classes and study clubs. Academies Enterprise Trust is working with Leeds City Council to sponsor academies in Leeds, and although not yet operating in either immediate locality they evidenced considerable research into the areas including walking the sites and localities. Rainbow acknowledged they do not have in depth knowledge of either local area, but have worked in other inner cities which face similar contexts of high levels of deprivation, EAL and mobility.
- 3.6.3 All the bids described a need to consult and engage with local stakeholders on how the school would operate, and what extended services would be offered. The Florence Street site sits on the cusp of two clusters, and Leeds Muslim college have been active within the cluster most likely to be associated with the new school. The Co-Operative has worked closely with the other local cluster in their role at the former Primrose High School. The Learning Trust South Leeds schools membership is based around their local cluster. LEAF indicated that they would work with the local schools, but were clear that they also needed to protect their own identity and ethos as a Trust. Their schools are currently outside of either of the clusters immediately local to the school. Academies Enterprise Trust and Rainbow indicated a commitment to working with the local clusters.

### **3.7 Local accountability, ethos and governance.**

- 3.7.1 The bids are all for Academies, with the exception of The Learning Trust South Leeds bid which is for a foundation school. Whilst not a maintained school, its foundation status requires a significant role for the local authority in its accountability, which is unlikely to be the case for an Academy. Academies Enterprise Trust, The Co-Operative, LEAF and Rainbow all have established governance structures. Academies Enterprise Trust emphasised a need for local membership on governing bodies, and gave assurances that they would not seek to

run the school according to a national model, or over-run the governing body with Trust members. The Co-Operative propose to manage the new school alongside three others in Leeds under an executive headship, but with each school having its own governing body. This would provide leadership capacity freeing individual heads to deal with their own specific issues, whilst providing accountability and challenge. There would be local representation on the governing body. LEAF propose an interim governing body derived from existing governing bodies and Trust members, which would then evolve into its own governing body with local representation. Leeds Muslim College would follow national guidelines and aim to mimic a maintained school governing body. Rainbow proposed to consult on the precise details of their governing body, and would include teachers, staff and local authority representatives.

- 3.7.2 Academies Enterprise Trust emphasised strongly that despite their size they do not have a one size fits all model which they wish to impose, but would work with local stakeholders to develop how their own values and ethos could be applied in the local context. A consultative approach was also described by the other bidders. The Co-Operative had a particularly strong and readily identifiable ethos easily recognised and understood by the public. LEAF made clear their own ethos of multi faith provision, welcoming those of all faiths and of none, as did Leeds Muslim College. The Learning Trust South Leeds have clearly established local connections but also appreciated the need to adapt to the particular locality of the new school through consultation. Rainbow's bid described considerable detail about the model they sought to provide, and gave more of a sense of ready made identity, although talked about how local consultation would adapt some details.

### **3.8 Experience and track record in primary education.**

- 3.8.1 Academies Enterprise Trust has wide primary experience, including some outstanding schools. Their experience is based in converter academies rather than new schools. The Learning Trust South Leeds includes several local primary schools with good and outstanding features. LEAF has two local primary academies, which in their most recent Ofsted reports one was satisfactory with good features, and one good with outstanding features. Their secondary head is a national leader of education. Co-Operative is working with the authority to become the sponsor of three very local primary sponsored academies, and has some others nationally. Rainbow have been leading a primary school for 18 months, but they have established a new primary school. Leeds Muslim College do not currently run any primary schools.

### **3.9 Management, partnerships and infrastructure capacity to support the new school.**

- 3.9.1 Academies Enterprise Trust has through their size a good capacity to support any new school, and a strong network of contacts and support. They include ex heads and inspectors amongst their members. Trinity College formed a prominent part of The Co-Operative's bid, describing at the public meeting how their trainee teachers would provide additional capacity through classroom support for children, and challenge to existing teachers. They also have a strong wider national and international organisation outside of education to bring additional support. LEAF's

partnership with LMU is significant in bringing best practice to the Trust, although they were not prominent in the bid process. The Learning Trust South Leeds has a good capacity through their existing schools and partners, particularly the teaching school. Leeds Muslim College are a relatively small and inexperienced team in primary education. Rainbow has support through a network of ex heads and inspectors in the trust.

### **3.10 Site considerations**

- 3.10.1 The Site at Harehills presents considerable challenge and will not be ready for opening in September 2013. All the bidders indicated a willingness to work with the authority to secure short term accommodation until the site became available. It is proposed to close the adjacent household waste site which has caused some concerns; these are being addressed through separate consultation processes. The precise design and therefore footprint of the building has not yet been confirmed. All bidders were content that they would be involved at the earliest possible stage in decisions about the school design, but this process would continue and so they may have limited input.
- 3.10.2 All bidders for the Harehills school noted the desire of the local community to be involved in the school through employment, use of extended services, use of facilities and external play areas. All indicated a willingness to consult on how this could be delivered.
- 3.10.3 Some respondents continued to challenge the demographic evidence of the need for the schools and expressed concerns about what would happen should pupils not materialise, or later demographic changes result in lower numbers, and also over any proposed accelerated opening programme. The decision on the need for the schools, their size and sites was effectively determined through the earlier consultation, and was considered thoroughly at that stage. This stage was a consideration of the bids received. The authority does wish to reassure schools that no change to the opening programmes will be implemented without full consultation with existing schools. Current admissions pressures continue to demonstrate the need for both schools in those localities, and that data would be shared as part of any decision making.
- 3.10.4 All bidders for both schools indicated a willingness to include a nearest criterion in their admissions policy to ensure it served the immediate local community.
- 3.10.5 The bidders for South Leeds all indicated their willingness to work with the authority on delivery of sporting provision on the site. None offered capital contributions towards such provision. Academies Enterprise Trust indicated they have some expertise in managing such provision.

## **4 Consultation and Engagement an Legal Issues**

- 4.1.1 The competition process and statutory notices all complied with all legislative requirements applicable at that time, and with local good practice. The summary of bids notices were published over 4 full pages of the Yorkshire Evening Post, and in

the Yorkshire Post. For each proposal, a daytime and evening public meeting were held, with informal consultation in between. These meetings allowed the public to meet all the proposers, and ask questions. Information was also distributed widely including through local schools, early years providers and websites, post offices, libraries, doctor's surgeries, community groups and area management officers. Briefings were also provided for local ward members and lead members.

- 4.1.2 One version of the notice for the South Leeds proposal contained an error in the opening date of the school. All bidders were contacted to clarify. All confirmed they would still bid on the basis of 2014 opening. This is a matter that can be varied at the time of making the decision.
- 4.1.3 It is a legal requirement that the published notice draws attention to any variation from the specification. These do not preclude bids from being considered, but the decision maker must have regard to them, and so the issues were clarified. All proposers confirmed that their responses in regard to SEN provision had been intended to describe their overall approach to inclusion, and they did not expect dedicated SEN provision to be part of the schools. LEAF clarified that whilst they had described a particular opening programme in their bid, this was in response to the authority's own recognition of the potential need to accelerate the opening in agreement with all local schools. They confirmed would respect the original proposed opening schedule, and agree any other plan with the authority and other local schools.
- 4.1.4 The changes described in the proposals constitute prescribed changes under the Education and Inspections Act 2006 (EIA 2006). The consultations have been managed in accordance with that legislation, and local practice. Under that legislation the local authority could apply to the secretary of state for permission to open a new school. It is unlikely this would have been given, and so no request or bid was submitted, and so the authority retains the right to determine the outcome of the competition.
- 4.1.5 The authority has set up the School Organisation Advisory Board to consider proposals where representations have been received, or where otherwise appropriate.

## **5 Conclusions**

- 5.1 Overall the authority was extremely pleased with the number and quality of the bids received. The bids from Academies Enterprise Trust, The CO-Operative, LEAF and The Learning Trust South Leeds are all particularly strong.
- 5.2 Academies Enterprise Trust have the largest number of Academies at present, and through that bring strong support for any new school. They currently have no schools in the north of the country, and lacked local knowledge and relationships in the specific locations of the city, but are known to the authority, and did demonstrate that they had proactively been out to those communities and displayed an appreciation of the issues they faced a result.
- 5.3 The Co-Operative has strong local knowledge and partnerships in the area, and is working positively as a local secondary Academy sponsor. They are a strong

organisation with a clear and appropriate ethos, bringing support from a wide ranging organisation nationally and internationally, and this brings the structure and capacity to support the new school. They bring particular strengths through their partnership with Trinity College, a nationally recognised centre of excellence in primary education. The role of the executive head teacher may add capacity, but may also affect applications for the headship.

- 5.4 The educational elements of LEAF's bid are strong, with good leadership and capacity. They also offer choice and diversity through a unique multi faith offering. LEAF do operate in East Leeds, but acknowledged the differences between the Harehills area of the proposed school and their own area further out from the city centre around Seacroft and Manston, raising some questions about how this would translate into collaboration with the other clusters. The proposal to open with existing staff and governors might affect the quality of applicants later in the process.
- 5.5 The Learning Trust South Leeds has good local knowledge, a good track record, and links to the teaching school. They repeatedly described a vision for strong 0-19 pathways. They bring strong local accountability with a unique bid for a non academy proposal, and displayed a passionate commitment to local collaboration.
- 5.6 The bids from Rainbow and Leeds Muslim College were felt to be weaker. Rainbow have a clear vision and model, but there was concern about how much this would genuinely be adapted for the specific local communities these schools would serve. They are a relatively young and inexperienced organisation. Leeds Muslim College have some excellent strengths, with very good very local networks and in depth knowledge of the local community. They are however the only bidder without experience of running a primary school, and there is a concern about their overall capacity at this time.
- 5.7 Leeds City Council wishes to thank all the bidders, and hopes to continue to work with all of them as it continues its basic need programme to meet demand for places in the future.

## **6 Recommendations**

- 6.1 SOAB are invited to comment on the proposals, with any observations on the bids which they feel they could recommend, and any they feel they could not recommend.

## **7 Background documents**

These documents are available on request by calling 0113 2243867, or from [educ.school.organsiation@leeds.gov.uk](mailto:educ.school.organsiation@leeds.gov.uk) . Executive Board reports are also available at [www.leeds.gov.uk](http://www.leeds.gov.uk) .

### **Executive Board Reports**

- 7.1 17 June 2009 Expanding Primary Place Provision
- 7.2 22 July 2009 Proposed increases in Admissions Limits for September 2010
- 7.3 19 May 2010 Outcome of statutory notices for changes to primary provision for September 2010, 2011 and 2012



- 7.4 21 July 2010 Outcome of statutory notices for proposals for expansion of primary provision for September 2011, and
- 7.5 Outcome of statutory notices for changes to primary age provision in Horsforth for September 2011
- 7.6 15 Dec 2010 Primary provision for 2012
- 7.7 30 March 2011 Basic Need Programme 2012 – Part A Outcome of consultation on proposals for primary provision for 2012 and Part B Request for Authority to spend.
- 7.8 18 May 2011 Basic Need Programme 2012 – Outcome of consultation on proposals for primary provision in 2012
- 7.9 27 July 2011 Primary Basic Need 2012 – Permission to consult on proposals for expansion of primary provision on 2013 and 2014
- 7.10 4 January 2012 Basic Need Programme 2013 – Outcome of consultation on proposals for expansion of primary provision in 2013

#### **Officer reports**

- 7.11 21 May 2010 and 5 November 2010 SIB reports
- 7.12 7 May 2010 and 17 September 2010 AMB reports
- 7.13 EDCI impact assessments

#### **Consultation Documents and Statutory Notices**

- 7.14 Consultation Documents for the two competitions
- 7.15 Statutory notice 'Invitation to bid' published 20 January 2012
- 7.16 Statutory notice 'Summary of bids' published 9 July, and accompanying brochures containing the summary information

## **Appendix 1 – Short summary of bidders.**

**Academies Enterprise Trust.** A national organisation with a large number of schools across the country, both primary and secondary. Mainly based as far as the midlands to date. Currently working with the authority on academies at Swallow Hill and Cottingley. They do have the infrastructure to support further expansion, and will assess each new opportunity on a case by case basis.

**The Co-Operative.** A national and international organisation already operating with the authority at the former Primrose High School. Also working with the authority on proposed academies at Woodlands Primary, Oakwood Primary and Brownhill Primary. Although education is not the Co-Operative's core function, it has a core central role in their overall values and ethos, and they are gradually taking on more schools. A key partner in the bid is Trinity and All Saints College, which has a national reputation for excellence in primary education. The links to the teacher training programme forms a significant part of their bid.

**LEAF Academy Trust.** A local trust comprising the Diocese of Ripon and Leeds, Leeds Metropolitan University and schools in the Seacroft and Manston area. The bid was fronted by David Young Community College, Manston Primary, and Seacroft Grange Primary. Whilst not seeking to expand significantly, they are a new Trust committed to developing outstanding provision in the area. Their bid is for a multi faith provision which would welcome those of all faiths and none.

**Leeds Muslim College.** A local organisation already very active in the Harehills area and working with local schools to deliver extended services. They have no current experience of managing a school, but a clear ambition to build on their existing experience to do so in future. Their bid is for a secular provision, which would welcome those of all faiths and none.

**Lilac Sky Schools.** Withdrew.

**The Learning Trust South Leeds.** A local foundation trust including Cockburn High School and 6 local primaries in the Beeston / Middleton / Cottingley area. Other partners include a teaching school, and the bid seeks to build on their 0-19 offering. The trust have successfully delivered improvements at the high school in particular. Whilst not seeking to significantly expand they have shown commitment to their local community and the development of provision there.

**Rainbow Schools.** An organisation which has focussed on Free Schools to date, with one primary school opened in Bradford in 2011, and a further primary school approved in Nottingham in 2013. They have run one secondary academy for 8 years.

Appendix 2 SOAB minutes