

Mr Ben Adams
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My ref: BA/RF58

Your Ref:

2 September 2015

Dear Justine and Members of the Select Committee

Thank you for the invitation to attend your Health and Wellbeing Scrutiny Committee on Wednesday 30th September 2015 to discuss how schools are providing school swimming. As I am unable to attend on this occasion I am providing this written response to inform your discussion.

The responsibilities in regard to school swimming rest unequivocally with schools — though the county council works with all schools to promote and secure access to a good education, and swimming and water safety are important to us within this.

Statutory guidance is issued by government to set out, by law, the requirements placed on schools. Schools must follow the guidance unless there's a good reason not to. All local authority maintained schools should teach to the guidance set out in the national curriculum.

The National Curriculum in England: physical education programmes of study makes a statement on "Swimming and Water Safety":

"All schools must provide swimming instruction either in key stage 1 or key stage 2.

In particular, pupils should be taught to:

- swim competently, confidently and proficiently over a distance of at least 25 metres
- use a range of strokes effectively [for example, front crawl, backstroke and breaststroke]



- perform safe self-rescue in different water-based situations”

<https://www.gov.uk/government/publications/national-curriculum-in-england-physical-education-programmes-of-study/national-curriculum-in-england-physical-education-programmes-of-study#swimming-and-water-safety>

It is for schools leaders and governing bodies to make appropriate arrangements to fulfil this duty. Ofsted inspect schools how on they fulfil their obligations – and their reports are a matter of public record.

It has been recognised by the county council that changes made nationally by government to simplify the elements permitted within the funding formula for schools removed the ability of the local formula to make specific provision to fund swimming pools at a school site and as a distinct element of the formula. This has placed additional pressure and challenge on schools in terms of maintaining the costs associated with pools that are part of a school site – and has, in some parts of the county, had an impact on access to local school-based facilities.

However, it is not the duty of the county council to provide swimming pool facilities – and we have no funding stream available to us that would enable us to do so. Instead, the county council has sought to promote a close collaboration with district council’s in particular, where shared or joint use agreements have worked to the benefit of district councils and of schools, and therefore ultimately for pupils.

Where the county council is landlord to a leisure facility located on a school site, our strategic property leads have secured appropriate agreements in regard to maintenance and upkeep - in negotiation with the parties involved. However, the county council is not funded to meet running costs of pools and neither are schools following the recent changes to school funding which has therefore brought about additional pressure in regard to on-going viability of such provision.

Where schools in Staffordshire have had to make the very difficult decision that maintaining a swimming pool located on their school site is no longer sustainable, then the county council has worked with the school and key partners or local stakeholders, through the District Commissioning Lead, to seek to mitigate the impact of that change, wherever it is possible to do so. This could be through negotiating new joint agreements or through schools making fuller use of other swimming pool and leisure facilities locally, using their core budgets and any funding they have such as through contributions they choose to seek toward transport/costs from parents (in line with the school’s policies) or through other funding sources available to them.

You may also be interested in the DfE Myths and Facts publication which states:



“Myth: Primary schools can use the PE and sport premium to pay for swimming lessons to meet the national curriculum requirement to teach pupils to swim 25 metres by the time they complete key stage 2.

Fact: Swimming and water safety requirements are compulsory for primary schools. Funding is already included in a school’s budget for this. The primary PE and sport premium can be used to pay for additional swimming lessons or specialist coaching sessions, but it should not be used to meet a school’s obligations under the national curriculum.”

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/394721/myths_and_facts_archive_for_January_2015_publication.pdf

Finally, the county council has acted to support schools in the delivery of their duty through our joint venture partnership Entrust. Through Entrust schools have the opportunity to buy in specialist support in regard to fulfilling the duty . This includes:

- Access to a traded swimming service (full details available from Entrust – contact Nathan Palmer Stevens)
- Access to specialist PE Advisory services which schools can buy in to support them
- Updates to governors where the school buys in to the governor support services provided to Entrust

To gain insight into the perspective of schools in fulfilling the duty I would suggest that the committee may wish to seek comment from the district’s primary Headteachers’ forum. I am sure school leaders will be able to provide you with additional insights into the provisions made by local schools in regard to the duty for swimming and water safety at KS2 and the challenges and successes evident in current arrangements, so that District council is well-informed to lend their support to schools in fulfilling this important aspect of the school curriculum.

Yours sincerely



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