

Public Document Pack

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11 June 2020

Dear Member,

Cabinet - Tuesday, 16 June 2020

Please find enclosed the following documents for consideration at the meeting of the Cabinet on Tuesday, 16 June 2020 which were unavailable when the agenda was published.

Agenda No	Item
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4(a)	Small Schools Proposals - Determination of Statutory Notices (CAB05_20/21) and Appendix 1 (Pages 3 - 20)
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Yours sincerely

Tony Kershaw
Director of Law and Assurance

To all members of the Cabinet

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Cabinet	Ref No: CAB05 (20/21)
16 June 2020	Key Decision: YES
Small Schools Proposals – Determination of Statutory Notices	Part I
Report by: Director of Education and Skills	Electoral Divisions: Angmering and Findon Chichester South Worth Forest
<p>Summary</p> <p>In September 2019 the Cabinet Member for Education and Skills took a decision (decision reference ES02(19/20)) to approve the commencement of a consultation in relation to options for change at the following schools:-</p> <ul style="list-style-type: none"> • Clapham and Patching CE Primary School, Clapham, Worthing • Compton and Up Marden CE School, Compton, Chichester • Rumboldswyke CE Infants’ School, Chichester • Stedham Primary School, Stedham, Midhurst • Warninglid Primary School, Warninglid, Haywards Heath <p>Following assessment of the responses to the consultation the Cabinet took a decision (decision reference CAB10(19/20) in relation to the schools.</p> <p>Following assessment of the outcome of this further consultation the Cabinet resolved to endorse the following proposals (decision reference CAB01(20/21) to</p> <ol style="list-style-type: none"> 1. Issue a closure notice for Clapham and Patching C of E Primary School, Clapham, Worthing, but maintaining the building open for the Autumn half term to allow those children without suitable school places to be supported to transition to a new school should schools not return to normal opening during the summer due to the current Covid-19 situation. 2. Issue closure notice for Rumboldswyke C of E Infant School, Chichester, but maintaining the building open for the Autumn half term to allow those children without suitable school places to be supported to transition to a new school should schools not return to normal opening during the summer due to the current Covid-19 situation. 3. Request County Council Officers to continue to work with Governors of Stedham Primary School and Harting CE Primary School to progress the Federation Action Plan towards a hard federation by January 2021. 	

4. Request County Council Officers to continue to work with Governors to progress proposals for the federation of Compton and Up Marden CE Primary School, Compton with an appropriate partner.
5. Issue prescribed alteration notices for the relocation of Warninglid Primary School, Warninglid, Haywards Heath to a new site in Pease Pottage Crawley by September 2021 (subject to developers completing in June 2021) and implement the proposals submitted by Warninglid Primary School and at least one other partner to federate.

Closure and prescribed alteration notices in relation to proposals 1, 2 and 5 above were issued on 7th May 2020. Members of the public and interested parties had the opportunity to make representations regarding the closures and prescribed alteration during a 4 week period that closed on 4th June 2020. This report outlines the representations that have been received during the closure and alteration notice period. It also takes note that the Regional Schools Commissioner (RSC) has been asked to consider requests for academy conversion of both Rumboldswyke C of E Infant School, Chichester and Clapham and Patching C of E Primary School, Worthing. At the time of writing this report, no decision on the academy requests had been received. The Cabinet will be asked to consider the recommendations detailed below.

West Sussex Plan: Policy Impact and Context

Best Start in Life: Approval of the small school organisation proposals supports the County Council's aspirations to be placed in the top quartile of performing Councils within three years, in terms of children's attainment. These proposals are integral to helping achieve high performing and financially sustainable schools in West Sussex that benefit the children and communities for years to come.

Financial Impact

All financial aspects are covered in the Cabinet member decision report [CAB01\(20/21\)](#) (<https://westsussex.moderngov.co.uk/ieDecisionDetails.aspx?ID=891>)

Recommendations

The Cabinet is asked to support the proposals outlined in section 2 to:

1. Close Clapham and Patching C of E Primary School, Clapham, Worthing by August 31st 2020 unless an Academy Order is issued by the RSC.
2. Close Rumboldswyke C of E Infant School, Chichester by August 31st 2020 unless an Academy Order is issued by the RSC.
3. Relocate Warninglid Primary School, Warninglid, Haywards Heath to a new site in Pease Pottage Crawley, by September 2021 (subject to developers completing in Summer 2021) and implement the proposals submitted by Warninglid Primary School and at least one other partner to Federate.

Proposal

1. Background and Context

- 1.1 In October 2018 the [School Effectiveness Strategy 2018 - 2022](http://schools.westsussex.gov.uk/Article/59459) (<http://schools.westsussex.gov.uk/Article/59459>) was adopted by the County Council following public consultation. It sets out the objectives for school organisation and the criteria against which schools should be assessed in order to meet these objectives. Implementation of the strategy is intended help ensure that in West Sussex:

"Primary schools will be of a sufficient size to be viable in the future, offer a high quality and broad curriculum, attract pupils from the local community and provide strong outcomes for children".

The school effectiveness strategy also states that:

"where schools are identified as being at risk, they need to consider options for change. In addition to "no change" These could include:

- Consulting on amalgamating or merging two or more schools to become an all-through primary school.
- Consulting on expanding the age range of a group of schools so each become all-through primary schools.
- Consulting on federating two or more schools.
- Consulting on closing a school."

- 1.2 Analysis by the County Council identified a number of schools which, when measured against the criteria set out in the School Effectiveness Strategy, were considered at risk. The criteria are set out below:

Twelve Key Questions for Schools	
1.	Does the school have an Infant to Junior relationship with another school?
2.	Is there a vacancy for a Headteacher?
3.	Is the curriculum better delivered by working with other nearby schools?
4.	Does the budget prohibit leadership responsibilities from being distributed amongst a range of staff?
5.	Does the school have difficulties recruiting high quality teachers, leaders or governors?
6.	Can all the schools in an area sustain the projected numbers of local pupils over the next 5 years?
7.	Are minimum pupil numbers for the school equal to or less than 100?
8.	Does the school have less than or equal to 75% of pupils on roll in proportion to its capacity?
9.	Do parental preferences for the school, taking into account the planned housing development, support the school reaching, or 95% of, the planned roll capacity of the school over the next 5 years?
10.	Is the Ofsted inspection overall judgement of the school 'Good' or better (or recent LA monitoring indicates the school is not moving quickly to 'Good')?
11.	Does the financial projection for the next 3 years show a sustainable budget?

12. Does the school offer a specialism that is not replicated elsewhere in the area?

- 1.3 Following the analysis described in paragraph 1.2, due to the specific circumstances of five of these schools, an impact assessment was conducted between April and June 2019. The specific circumstances for four of the schools are set out in the previously submitted [Impact Assessments](https://haveyoursay.westsussex.gov.uk/strategic-planning-and-place/rural-and-small-schools/) (<https://haveyoursay.westsussex.gov.uk/strategic-planning-and-place/rural-and-small-schools/>).
- 1.4 Rumboldswyke C of E Infant school is not a rural school but serves the community of Chichester. The school was included due to its vulnerability, declining enrolment, and the quality of provision. Following the Ofsted inspection in May 2019, the school was rated as inadequate. The options for the future of Rumboldswyke C of E Infant School were therefore limited following this judgement. Under the Establishment and Discontinuance of Schools Regulations 2013, the school has to either academise or close. Since the Ofsted inspection, discussions have taken place with the Regional Schools Commissioner (RSC) and the CE Diocese. The size and nature of the school has made finding a suitable Trust willing to academise the school as a viable Infant School extremely challenging. The RSC agreed to await the outcome of consultation on the viability of the school before making the decision on issuing an academy order.
- 1.5 In September 2019, the Cabinet Member for Education and Skills (decision reference ES02(19/20)) [approved](https://westsussex.moderngov.co.uk/ieDecisionDetails.aspx?ID=716) (<https://westsussex.moderngov.co.uk/ieDecisionDetails.aspx?ID=716>) the commencement of a consultation in relation to the options for the proposed reorganisation of rural and small schools in West Sussex. This consultation included an online survey for members of the community and interested parties to 'have their say', opportunities for schools to submit their future plans and representations, contact with local parish councils, discussions with the Diocese and also a public meeting at each school.
- 1.6 Following assessment of the response to the consultation, the Cabinet took a [decision](https://westsussex.moderngov.co.uk/ieDecisionDetails.aspx?ID=821) (<https://westsussex.moderngov.co.uk/ieDecisionDetails.aspx?ID=821>) to consult on the following specific proposals (decision reference CAB10 (19/20)):
- (a) Closure of Clapham and Patching C of E Primary School by September 2020 whilst continuing to discuss academisation proposals which the County Council will encourage and support.
 - (b) Closure of Rumboldswyke C of E Infant School effective September 2020.
 - (c) Relocation of Warninglid Primary School and the federation of the school by September 2021 (subject to developer's progress).
 - (d) Closure of Stedham Primary School by September 2020, whilst continuing to encourage and assist the school in its discussion on

federation, which if agreed by the end of the consultation period (16 March 2020), will result in the consultation ceasing¹.

The Cabinet also agreed with the proposal that the County Council officers should work with Governors to progress proposals for the federation of Compton and Up Marden CE Primary School, Compton with an appropriate partner.

- 1.7 Following assessment of the responses to the further consultation on specific proposals the Cabinet took a [decision](https://westsussex.moderngov.co.uk/ieDecisionDetails.aspx?!D=891) (decision ref CAB01(20/21) to approve the following proposals:-
1. Issue a closure notice for Clapham and Patching C of E Primary School, Clapham, Worthing, but maintaining the building open for the Autumn half term to allow those children without suitable school places to be supported to transition to a new school should schools not return to normal opening during the summer due to the current Covid-19 situation.
 2. Issue closure notice for Rumboldswyke C of E Infant School, Chichester, but maintaining the building open for the Autumn half term to allow those children without suitable school places to be supported to transition to a new school should schools not return to normal opening during the summer due to the current Covid-19 situation.
 3. Request County Council Officers to continue to work with Governors of Stedham Primary School and Harting CE Primary School to progress the Federation Action Plan towards a hard federation by January 2021.
 4. Request County Council Officers to continue to work with Governors to progress proposals for the federation of Compton and Up Marden CE Primary School, Compton with an appropriate partner.
 5. Issue prescribed alteration notices for the relocation of Warninglid Primary School, Warninglid, Haywards Heath to a new site in Pease Pottage Crawley by September 2021 (subject to developers completing in June 2021) and implement the proposals submitted by Warninglid Primary School and at least one other partner to federate.
- 1.8 Closure and prescribed alteration notices in relation to proposals 1,2 and 5 were issued on 7th May 2020 and the opportunity for members of the public and other interested parties to make representations closed on 4th June 2020.
- 1.9 Under section 15 of the Education and Inspections Act 2006, a local authority can propose the closure of all categories of maintained school. The statutory process for closing a maintained school is that once the statutory notice is published any person can send objections or comments to the County Council within 4 weeks from the date of publication.

¹ The consultation on closure of Stedham Primary School was ceased on 7 February 2020 in recognition of the progress being made towards federation and to provide time for governance arrangements for the federation to be agreed with the Diocesan Board of Education by 21st April 2020.

- 1.10 The authority must consult prescribed consultees during this representation period. Any comments on the proposal must be taken into account by the decision-maker. All views must be considered including all support for, objections to, and comments on the proposal. The decision-maker can:
- Reject the proposal
 - Approve the proposal without modification
 - Approve the proposal with such modifications as they think desirable

Within one week of making a determination, the authority must publish its decision and the reasons for such a decision.

- 1.11 During the representation period, the Regional Schools Commissioner (RSC) informed the County Council that applications had been made to the Regional Schools Commissioner to academise both Rumboldshyke CE Infants School and Clapham and Patching CE Primary School.

2 Proposal Details

- 2.1 The consultation and decision-making timetable (updated from the September 2019 decision paper) is set out below:

7 October 25 November 2019	Stage one – consultation on options – complete
14 January 2020	The Cabinet considered the results of the consultation and decided whether to publish specific proposals for any of the schools listed. - complete
3 February to 16 March 2020	Stage two – publication of proposals and 6 week representation period - complete
22 April 2020	Stage three – Cabinet decision on specific proposals for each of the schools - complete
7 May to 4 June 2020	Stage four – publication of statutory proposals (4 week representation period) followed by cabinet decision.
31 August 2020	Stage five – implementation of proposals

- 2.2 After consideration of the representations following the issuing of closure and prescribed alteration notices (Stage 4) and recognising that the RSC may decide to issue an Academy Order, it is proposed that the Cabinet approves the following next steps:
- Close Clapham and Patching C of E Primary School, Clapham, Worthing by August 31st 2020 unless an Academy Order is issued by the RSC.
 - Close Rumboldshyke C of E Infant School, Chichester by August 31st 2020 unless an Academy Order is issued by the RSC.

- Relocate Warninglid Primary School, Warninglid, Haywards Heath to a new site in Pease Pottage Crawley, by September 2021 (subject to developers completing in Summer 2021). Prior to this relocation taking place, County Council officers will work with Governors to implement the proposals submitted by Warninglid C of E Primary School to federate with at least one federation partner. The implementation of this proposal will be achieved only in line with the completion of the building of the new school on the Pease Pottage site which is currently planned for June 2021.

Factors taken into account

3 Consultation

3.1 Closure and prescribed alteration notices were issued on 7th May 2020 and the opportunity to make representations closed on 4th June 2020

3.2 Representations

15 representations were made officially through the channels set out in the notice for Clapham and Patching C of E Primary School. These are broken down as follows;

- Five from current parents of the school
- Three from the Head Teacher, one of which was a duplicated submission.
- Two from the local community
- Two undeclared
- One former parent
- One Clerk to the local Parish Council
- One on behalf of the West Sussex Governors Association

12 representations were made officially through the channels set out in the notice for Rumboldswyke C of E Infants School. These are broken down as follows;

- Four from local residents
- One parent petition with 39 signatures
- One Leader of the Green Group for Chichester D.C. and also the Chair of the Friends of Rumboldswyke.
- One Chichester City Council Member, Chichester West
- One Co-Chair of Whyke Residents Association
- One former Chair of Governors
- One former parent/governor
- One former pupil/governor
- One on behalf of the West Sussex Governors Association

A further two representations were received from local residents for Rumboldswyke C of E Primary school. These did not arrive within the prescribed timescale.

No representations for Warninglid Primary School were made.

Only representations received through the official communication channels have been considered.

It is clear from the representations received for both Clapham and Patching C of E Primary School and Rumboldswyke C of E Infant school that there continues to be a strong lobby for the schools to be allowed to academise. The representations also challenged the process followed and the information provided by the County Council..

The main issues highlighted in the representations can be summarised as follows:

- **Process** – Has the guidance on rural schools and academisation been followed correctly.
- **Housing projections** - The effect on school provision in the area has not been considered in relation to the need for more school places.
- **Community impact** – The impact on the local community should Clapham and Patching C of E Primary School close is considered to be detrimental, to the village hall, the local home for the elderly and the congregation of the churches in the village.
- **Church affiliation** - Rumboldswyke is the only CofE Infants' School in the City of Chichester and should be kept open for those families who wish to give their children a Christian education.
- **COVID -19** - there is currently a need for more space and more classrooms to keep children socially distanced.

- 3.3 Based on the above, the analysis of the issues raised through representations suggests that none are so substantial and significant as to present a need to amend, alter or delay the [Cabinet decision \(https://westsussex.moderngov.co.uk/ieDecisionDetails.aspx?ID=891\)](https://westsussex.moderngov.co.uk/ieDecisionDetails.aspx?ID=891) (decision reference CAB01(20/21)) to close Rumboldswyke CE Infants School and Clapham and Patching Primary School or to relocate Warninglid Primary School, even though the Regional Schools Commissioner (RSC) informed the County Council that applications had been made to the to academise both Rumboldswyke CE Infants School and Clapham and Patching CE Primary School.

4 Financial (revenue and capital) and Resource Implications

- 4.1 The financial and resource implications are set out in the Cabinet Decision report (reference as above).

5 Legal Implications

- 5.1 These are set out in the Cabinet decision report (reference as above). Section 15 and schedule 2 to the Education and Inspections Act 2006 set out the arrangements for consultation and representations and the options available to the authority taking the decision and any appeal mechanisms available to specified bodies.

6 Risk Implications and Mitigations

- 6.1 The Risk implications and mitigations are set out in the previous Cabinet decision report (reference as above).

7 Other Options Considered (and reasons for not proposing)

- 7.1 Other options and reasons for not proposing are set out in the previous cabinet decision report (reference as above).
- 7.2 During the representation period, the Regional Schools Commissioner (RSC) informed the County Council that applications had been made to the Regional Schools Commissioner to academise both Rumboldshyke CE Infants School and Clapham and Patching CE Primary School. The outcome of these applications is awaited.

8 Equality and Human Rights Assessment

- 8.1 The Equality Impact Report has been updated to cover the impact of COVID 19 and is included as Appendix 1

9 Social Value and Sustainability Assessment

- 9.1 None for the purpose of this report

10 Crime and Disorder Reduction Assessment

- 10.1 None for the purpose of this report

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Appendices

Appendix 1 – Equality Impact Report

Background Papers - None

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Equality Impact Report – West Sussex Small Schools Proposals

Title of report	Equality Impact Report
Date of implementation	June 2020

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1. Background

1.1 In October 2018 the [School Effectiveness Strategy 2018 - 2022](#) was adopted by the County Council following public consultation. It sets out the objectives for school organisation and the criteria against which schools should be assessed in order to meet the objectives. Implementation of the strategy will help ensure that in West Sussex:

“Primary schools will be of a sufficient size to be viable in the future, offer a high quality and broad curriculum, attract pupils from the local community and provide strong outcomes for children”.

The school effectiveness strategy also states *that:*

“where schools are identified as being at risk, they need to consider options for change. These could include:

- *Consulting on amalgamating or merging two or more schools to become an all-through primary school.*
- *Consulting on expanding the age range of a group of schools so each becomes all-through primary schools.*
- *Consulting on federating two or more schools.*
- *Finally, consulting on closing a school.”*

1.2 Analysis by the County Council in 2018 identified around 25 schools which, when measured against the criteria set out in the School Effectiveness Strategy, were considered at risk in relation to their ability to meet the requirements set out above.

1.3 Discussions and workshops were held with Head Teachers and Chairs of Governors in the localities where the schools were identified as vulnerable. The outcome of the analysis was reviewed and discussions were initiated with some of the schools on options for the future such as merger, federation, relocation or closure. A number of schools have subsequently progressed discussions and some have made steps towards federation.

1.4 Due to specific circumstances of five of these schools, an impact assessment was conducted between April and June 2019. Rumboldswyke was included following an Ofsted inspection which rated the school as inadequate. The options for the future of the school are very limited following this judgement.

Following conclusion of the impact assessment work a consultation process was undertaken to assess views on options for change at the following schools:-

- Clapham and Patching CE Primary School, Clapham, Worthing
- Compton and Upmarden CE School, Compton, Chichester

- Rumboldswyke CE Infants School, Chichester
- Stedham Primary School, Stedham, Midhurst
- Warninglid Primary School, Warninglid, Haywards Heath

This led to preliminary decisions being prepared for the five schools endorsed by a decision of the Cabinet in December 2019. That led to a further period of consultation on specific proposals up to early March 2020. The outcome of this second period of public consultation led to the development of final proposals for consideration by the Cabinet in April 2020. The Cabinet approved these proposals. Closure notices were published for Rumboldswyke CE Infants School, Chichester and Clapham and Patching CE Primary School Clapham, Worthing and a relocation notice was published for Warninglid Primary School on 7th May 2020.

The following applies generally to small schools in terms of the impact of their constraints on the overall quality of education and their capability in terms of the requirements for the optimum resources to provide a broad curriculum and meet the needs of a full range of educational expectations for pupils:

- Nationally small schools are finding it difficult to operate and provide a quality of education within the resources they can afford with the number of small schools halving over the last 18 years from 11,500 in 2000 to less than 5,500 in 2018;
- Low pupil numbers have led to a paring of costs and staffing to a core with mixed age classes and limited additional classroom support staff;
- It is difficult to manage learning in mixed age classes and to attract newly qualified teachers (NQTs) with future NQT arrangements being skewed against their recruitment to small schools, thereby adding to small school running costs;
- Mixed age classes can have up to 7 development years difference among the teaching group. Research into teaching in mixed age classes indicates that achievement in cognitive skills is often lower than that in single age classes;
- Headteachers of very small schools often have significant teaching commitment reducing time for strategic leadership and management of the school;
- Very small schools often have a higher proportion of SEND pupils and low numbers of PPG. This provides increasing challenge in being able to cover needs effectively;
- Sustaining high standards in very small schools is challenging and it is not unusual for schools to be volatile in their Ofsted inspections;
- Small schools have limited breadth of experience among staff to deliver the breadth and depth of curriculum required to meet the demands of the Ofsted Inspection Framework 2019
- The challenges of the new Ofsted inspection framework (2019), along with responsibilities for pupils' mental health and wellbeing (2018) as well as responsibilities for the delivery of Relationships and Sex Education curriculum (2020) from 2020 increase pressures on small schools with limited capacity;
- Evidence shows that it is becoming increasingly difficult to secure leadership in very small schools with headteacher salaries often being lower than that of deputy headteachers in large schools. It is not unusual for headships of small schools to be difficult to recruit to;
- Very small schools are prone to attract in year admissions of vulnerable pupils due to their surplus capacity which adds pressure on teachers to adapt and also on pupil mobility;

These factors provide an educational context to the public sector equality duty related to the proposals.

Public Sector Equality Duty

The Equality Act (2010) mandates a duty for public bodies 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; and
- foster good relations between persons who share a relevant protected characteristic and those who do not share it.

To meet this duty authorities are required to analyse the impact of proposed policies, strategies and action plans which may have implications for those within the protected groups.

In this Equality Impact Assessment, we evaluate the impact on West Sussex Small Schools to anticipate and address the requirements of the duty. The protected groups are defined by reference to:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including, ethnic origin, nationality)
- Religion or belief (including lack of belief)
- Sex/Gender
- Sexual orientation

Data was collated in relation to the population of the areas to help inform the impact work focusing on the schools most significantly affected.

Relevant to the public sector equality duty is an awareness of the numbers of pupils with particular health and educational needs.

Agenda Item 4a
Appendix 1

ETHNICITY									
FULL SURVEY RESPONSES			CLAPHAM		COMPTON		RUMBOLDSWHYKE		
Option	Total	Percent of All	Total	Percent of All	Total	Percent of All	Total	Percent of All	
White	871	88.34%	106	86.18%	368	86.59%	138	84.66%	
Mixed/multiple ethnic groups	6	0.61%			3	0.71%	1	0.61%	
Asian/any other mixed/multiple ethnic background	2	0.20%					1	0.61%	
Asian/Asian British	4	0.41%			1	0.24%	2	1.23%	
Black/African/Caribbean/Black British	3	0.30%	1	0.81%	1	0.24%			
Other ethnic group	1	0.10%					1	0.61%	
Prefer not to say	99	10.04%	16	13.01%	52	12.24%	20	12.27%	
TOTAL NUMBER OF RESPONSES	986		123		425		163		
AGE GROUPS									
FULL SURVEY RESPONSES			CLAPHAM		COMPTON		RUMBOLDSWHYKE		
Option	Total	Percent of All	Total	Percent of All	Total	Percent of All	Total	Percent of All	
12 or under	43	4.36%	1	0.81%	11	2.59%	1	0.61%	
13-16	7	0.71%			6	1.41%	1	0.61%	
17-24	32	3.25%	4	3.25%	11	2.59%	5	3.07%	
25-44	367	37.22%	40	32.52%	142	33.41%	66	40.49%	
45-64	326	33.06%	45	36.59%	154	36.24%	47	28.83%	
65 plus	148	15.01%	20	16.26%	73	17.18%	28	17.18%	
Prefer not to say	63	6.39%	13	10.57%	28	6.59%	15	9.20%	
TOTAL NUMBER OF RESPONSES	986		123		425		163		

January Census numbers on roll by SEND provision

SEND PROVISION - Summary Total - Rumboldshwkye								
	Numbers				% of total			
SEND PROVISION	2016	2017	2018	2019	2016	2017	2018	2019
Number of EHCP/Statement	0	0	0	0	0.0%	0.0%	0.0%	0.0%
Number of SEN Support	21	27	15	8	18.9%	23.7%	16.3%	11.1%
Number of SEN (all)	21	27	15	8	18.9%	23.7%	16.3%	11.1%
Number with No SEND need	90	87	77	64	81.1%	76.3%	83.7%	88.9%
TOTAL	111	114	92	72				

SEND PROVISION - Summary Total - Stedham								
	Numbers				% of total			
SEND PROVISION	2016	2017	2018	2019	2016	2017	2018	2019
Number of EHCP/Statement	0	0	0	0	0.0%	0.0%	0.0%	0.0%
Number of SEN Support	10	15	11	15	13.0%	16.9%	13.8%	17.2%
Number of SEN (all)	10	15	11	15	13.0%	16.9%	13.8%	17.2%
Number with No SEND need	67	74	69	72	87.0%	83.1%	86.3%	82.8%
TOTAL	77	89	80	87				

SEND PROVISION - Summary Total - Warninglid								
	Numbers				% of total			
SEND PROVISION	2016	2017	2018	2019	2016	2017	2018	2019
Number of EHCP/Statement	0	0	0	0	0.0%	0.0%	0.0%	0.0%
Number of SEN Support	6	10	14	16	9.1%	17.9%	28.6%	41.0%
Number of SEN (all)	6	10	14	16	9.1%	17.9%	28.6%	41.0%
Number with No SEND need	60	46	35	23	90.9%	82.1%	71.4%	59.0%
TOTAL	66	56	49	39				

SEND PROVISION - Summary Total - Compton and Up Marden CofE Primary								
	Numbers				% of total			
SEND PROVISION	2016	2017	2018	2019	2016	2017	2018	2019
Number of EHCP/Statement	1	0	1	0	1.0%	0.0%	1.2%	0.0%
Number of SEN Support	16	19	14	27	16.5%	23.8%	16.9%	31.8%
Number of SEN (all)	17	19	15	27	17.5%	23.8%	18.1%	31.8%
Number with No SEND need	80	61	68	58	82.5%	76.3%	81.9%	68.2%
TOTAL	97	80	83	85				

SEND PROVISION - Summary Total - Clapham and Patching								
	Numbers				% of total			
SEND PROVISION	2016	2017	2018	2019	2016	2017	2018	2019
Number of EHCP/Statement	4	4	5	8	6.7%	6.0%	9.6%	12.9%
Number of SEN Support	13	13	12	21	21.7%	19.4%	23.1%	33.9%
Number of SEN (all)	17	17	17	29	28.3%	25.4%	32.7%	46.8%
Number with No SEND need	43	50	35	33	71.7%	74.6%	67.3%	53.2%
TOTAL	60	67	52	62				

Source: January school censuses 2016-2019

'Race and ethnicity' related issues

The largest ethnic group in West Sussex is White British (88.9%) and the largest minority ethnic group is White other (2.9%) followed by Asian/Asian British (1.7%). Minority groups are largely concentrated in Crawley and in coastal towns such as Bognor Regis, Littlehampton and Worthing and not in the rural areas where the majority of small schools are located.

Ethnic group by geography, census 2011, count (percentage of total pop)

Ethnic Group	West Sussex	Adur	Arun	Chichester	Crawley	Horsham	Mid Sussex	Worthing
Total Population	806,892	61,182	149,518	113,794	106,597	131,301	139,860	104,640
White British	717,551 (88.9%)	56,843 (92.9%)	137,024 (91.6%)	105,841 (93%)	76,888 (72.1%)	121,020 (92.1%)	126,341 (90.3%)	93,594 (89.4%)
White other (inc. Irish)	38,948 (4.8%)	1,820 (2.9%)	8,094 (5.4%)	4,481 (3.9%)	8,292 (7.7%)	5,042 (3.8%)	6,677 (4.7%)	4,542 (4.3%)
Mixed/multiple ethnic groups	12,155 (1.5%)	886 (1.4%)	1,502 (1%)	1,092 (0.9%)	3,098 (2.9%)	1,774 (1.3%)	1,967 (1.4%)	1,836 (1.7%)
Asian/ Asian British	28,334 (3.5%)	1,058 (1.7%)	2,116 (1.4%)	1,617 (1.4%)	13,825 (12.9%)	2,585 (1.9%)	3,761 (2.6%)	3,372 (3.2%)
Black/ African/ Caribbean/ Black British	7,146 (0.8%)	313 (0.5%)	538 (0.3%)	518 (0.4%)	3,469 (3.2%)	651 (0.4%)	788 (0.5%)	869 (0.8%)
Other ethnic group	2,758 (0.3%)	262 (0.4%)	244 (0.1%)	245 (0.2%)	1,025 (0.9%)	229 (0.1%)	326 (0.2%)	427 (0.4%)

Source: ONS, 2011

Ethnic disproportionality, if not addressed through appropriate provision can result in unequal future outcomes, and this issue is increasingly salient as the BAME population in England continues to grow. A key recommendation of this report is that LAs, multi-academy trusts and schools must have due regard to the Public Sector Equality Duty requirements and should monitor ethnic disproportionality and achievement.

There has not been any particular expected impact or outcome from the current proposals for this aspect of the duty. The consultation has not altered this assessment.

The proposals would not require further attention to this area of possible impact.

2. Describe any negative impact for customers or residents.

For the majority of the protected characteristics no identifiable impact has been identified.

It is obvious that the proposals have a specific impact on a group defined by age – but not in a way any other school based policy or decision would do. It is inevitable that any decision about school planning will affect a defined age group. It is not concluded that these proposals require different approaches as a result.

The specific element of the proposals which have required particular focus for the equality duty has been the implications for children with Education Health and Care Plans (EHCP) and those with defined Special Educational Needs or Disability (SEND).

All of the planning has taken into account the pupils falling into these groups so as to understand

- their current and future needs

- the decisions that have led to attendance at the current school
- the implications for disruption to current provision
- the need to seek and plan alternative provision
- the impact upon the physical and emotional wellbeing of the pupils
- The ability of alternative provision to meet their needs
- The action required to ensure safe and effective transition.
- The need to avoid or mitigate any identified adverse impact on these pupils both as a group and as individuals.

These factors have informed the appraisal of the proposals as the specific individuals are known and their individual needs understood. Their parents and carers and the other groups representing their interests have engaged in the consultation and have been able to set out fully the concerns which have particular impact upon these factors. Those have helped inform the final proposals.

It is recognised that COVID 19 will exacerbate the negative impacts identified. A number of positive steps have been taken to mitigate these impacts in the planning for implementation of the final proposals. These are set out in (3) below.

3. Describe any positive effects which may offset any negative impact.


The proposals for specific schools have been informed by and plans adjusted to take account of the needs of individuals within the defined group (primarily those with EHCP or SEND) and the current COVID 19 situation. In particular, the transition and planning for pupils affected by the closure of Rumboldswyke CE Infants School and Clapham and Patching CE Primary School has been adjusted as indicated in the final form of the proposals. Specifically, our SENAT team are in regular contact with all parents whose children have an EHCP to ensure that they are assisted as much as possible during the closure process, contacting schools and finding a suitable place during the mini admissions round and effective management of the transition. Our Specialist Teacher Advisory teams are also adopting a similar approach with parents of children who have SEN but not an EHCP as we recognise that similar issues will arise for these pupils. Our SENDIAS team are also providing independent advice as and when called upon to do so.

More generally the proposals support the County Council's aspirations to be placed in the top quarter of performing Councils within three years, in terms of children's attainment. Great strides are being made towards this by working in partnership with schools and parents and these proposals are integral to helping achieve high performing and financially sustainable schools for everyone in West Sussex that benefit the children and communities for years to come. Accordingly, the needs of future generations of pupils as well as those immediately affected for a short period have informed the decisions.

4. Describe whether and how the proposal helps to eliminate discrimination, harassment and victimisation.

Care has been paid to understand and plan for the transition of pupils with EHCP and SEND to alternative provision and to anticipate the impact on the individuals concerned.

<p>No specific concerns for adverse impact in terms of harassment or victimisation is indicated. The need to avoid specific discrimination of groups specifically affected has informed the plans for individuals and the schools they currently attend. The proposals are integral to helping achieve high performing and financially sustainable schools for everyone in West Sussex.</p>	
<p>5. Describe whether and how the proposal helps to advance equality of opportunity between people who share a protected characteristic and those who do not.</p>	
<p>It is considered that the overall aims of the proposals against the objectives set out in the background above and within the context of the impact of small school constraints also set out above will achieve significant benefits for advancing equality of opportunity.</p>	
<p>6. Describe whether and how the proposal helps to foster good relations between persons who share a protected characteristic and those who do not.</p>	
<p>As in 5 above. The constraints of the small schools in question have been fully set out above and the proposals are aimed at removing the adverse impact of those constraints.</p>	
<p>7. What changes were made to the proposal as a result? If none, explain why.</p>	
<p>In so far as required during the process any changes have been incorporated into the developing and the final proposals.</p>	
<p>8. Explain how the impact will be monitored to make sure it continues to meet the equality duty owed to customers and say who will be responsible for this.</p>	
<p>This impact Assessment and the consultation process on options has provided a reference point to ensure that careful attention is made to the impact on pupils in protected groups - especially those referred to in this document and ensure that their interests are kept in mind as proposals are implemented.</p>	

<p>To be signed by a Director or Director to confirm that they have read and approved the content.</p>				
<p>Name</p>			<p>Date</p>	<p>10 June 2020</p>
<p>Your position</p>	<p>Director of Education and Skills</p>			