

Public Document Pack

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16 October 2019

Small Schools Task and Finish Group

A meeting of the Task and Finish Group will be held at **1.30 pm** on **Thursday, 24 October 2019** at **County Hall, Chichester**.

Tony Kershaw
Director of Law and Assurance

The meeting will be available to view live via the Internet at this address:

<http://www.westsussex.public-i.tv/core/portal/home>

Agenda

1. **Notes of the previous meeting** (Pages 3 - 8)

Members are asked to agree the notes of the previous TFG held on 18 September 2019 (cream paper).

2. **Response to Recommendations** (Pages 9 - 10)

To note the response from the Cabinet Member for Education and Skills dated 8 October 2019.

3. **Declarations of Interest**

Members and officers must declare any pecuniary or personal interest in any business on the agenda. They should also make declarations at any stage such an interest becomes apparent during the meeting. Consideration should be given to leaving the meeting if the nature of the interest warrants it. (If in doubt please contact Democratic Services before the meeting).

4. **Project Plan** (Pages 11 - 12)

Members are asked to agree the project plan for the Task and Finish Group.

5. **Consultation Process**

Members will receive a presentation on the consultation process so far.

6. **Stakeholder Representations** (Pages 13 - 14)

An opportunity for members to hear representations from identified witnesses who have been invited to speak.

Members will also consider any written representations received in advance of the meeting.

7. Future Work

Members to identify any additional stakeholders to be invited to its next meeting and any additional evidence or advice required.

8. Recommendations from this meeting

Members to agree any comments and recommendations to be forwarded to the Cabinet Member for Education and Skills, and consider any reporting to the Children and Young People's Services Select Committee.

9. Date of the next meeting

The next meeting of the Task and Finish Group will take place in December with a date and location to be advised.

To all members of the Small Schools Task and Finish Group

Webcasting

Please note: this meeting may be filmed for live or subsequent broadcast via the County Council's website on the internet - at the start of the meeting the Chairman will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council.

Generally the public gallery is not filmed. However, by entering the meeting room and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

Children & Young People's Services Select Committee: Task and Finish Group to Review Small Schools

18 September 2019 – At a meeting of the Group held at 12.00pm at County Hall, Chichester.

Members present: Mr Jupp (Chairman)

Mrs Flynn
Mrs Hall
Ms Lord
Ms Sudan

Apologies for absence: Maria Roberts (Parent Governor Representative).

Officers present:

Rachel Allan – Senior Advisor Democratic Services
Natalie Jones-Punch – Assistant Democratic Services Officer
Tony Kershaw – Director of Law and Assurance
Graham Olway – Head of School Organisation and Transport Group
James Richardson – Programme Manager
Paul Wagstaff – Director of Education and Skills

Election of Chairman:

Mr Jupp was elected as Chairman.

Declarations of Interest:

Ms Sudan declared an interest as her husband is Chair of Governors at Langley Green Primary School.

Mrs Flynn declared an interest as Ingfield Manor School Governing Body.

Terms of Reference

- Members noted the Terms of Reference and the agreement at the Children and Young People's Services Select Committee (CYPSSC) that the membership comprise six members of the committee, including two minority party members and one co-opted member.

Notes

- Members noted both their own concerns and those received from parents, schools and governors regarding the information contained in the draft decision report, including the level of engagement preceding the consultation proposal.

- Although there was acknowledgement the report was very detailed, there were questions as to whom the consultation would be targeted and the factual reliability of some of the content and data.
- Members asked if WSCC owned the school buildings and if there would be financial gain arising from any decision to close. Officers advised that land ownership details had been provided in the maps in an attempt to be transparent.
- Members requested clarification on the relevance of the ambition in the School Effectiveness Strategy (SES) that all pupils in West Sussex were in Good or Outstanding Ofsted rated schools and, considered that 2 of the schools identified were rated Good. The Director of Education and Skills advised a change to the Ofsted inspection framework was imminent, giving West Sussex greater ownership on what they deem to qualify a Good or Outstanding school.
- Members of the TFG sought clarification on the figures of children with Special Educational Needs and Disabilities (SEND), and whether this included a mix of those with an Education and Health Care Plan (EHCP) and those identified within a school setting as requiring additional support or needs.
- The Director of Education and Skills advised the figures represented those formally recognised as holding an EHCP. He explained the criteria in the identification of additional needs significantly varied across schools.
- Officers advised members that efforts were made to be as transparent as possible, providing all collated information available at the time, with a caveat that pupil detail varied on a day to day basis. The Director of Education and Skills added that the number of pupils on role was taken from January census.
- The Chairman noted an appreciation for the dynamic nature of data and suggested source dates were included on the information sheets. Officers noted source dates were indicated in the report, however agreed a further effort could be made to uphold transparency with regards to the variability of data.
- The Head of School Organisation advised the TFG that conversations had taken place with governing bodies and teachers for a period of around one year. On 9 October 2018, an engagement event with Heads and Chairs of Governors took place where concerns were shared about declining pupil numbers at a number of small, rural schools. Attendees at these events were encouraged to have conversations about potential federation opportunities. Some governing bodies had successfully explored this, whilst others chose not to take action in this regard.
- The Head of School Organisation explained that the service was able to evidence that conversations with the schools involved had happened. The Director of Education and Skills advised there had been a mixed level of engagement from the five schools identified in the draft decision report.
- Members expressed concern that there may have been a disconnect between this engagement event in the context of the SES and the subsequent small schools assessment, and cited a potential lack of communication in terms of the thread between the SES and small schools. The Director of Education advised West Sussex Governor's Association undertook a survey of the five schools concerned to get a sense of the engagement, and that he undertook a number of visits to the schools to discuss future viability and organisation.

- Members noted that engagement had taken place, but suggested it was perhaps neither meaningful or supportive enough in terms of the conversations about possible federation. The Director of Education and Skills cited some unsuccessful and refused attempts to engage with schools and Chairs of Governors which had made the engagement process difficult in some circumstances.
- The Head of School Organisation advised federation guidance was provided to those governing bodies who requested it. He advised there appeared to be an expectation on the schools behalf that WSCC would take forward any federation or merger arrangements. The Director of Education and Skills advised Her Majesty's Inspectorate of Education were clear that the management and administration of any federation was not the responsibility of the local authority.
- The Director of Education advised that effective networks did exist between some schools, and that there were no specific proposals to do anything to a particular school at the current time. This was not an exercise in consulting for closure.
- Members accepted this was not a firm proposal to close schools and considered how things would progress after the consultation.
- The TFG were advised that timing was crucial. There was a desire for a decision to be known as soon as possible to give families some certainty. Members were advised that due process would be given and that the timescales were based on guidance from the DfE.
- The Director of Education and Skills advised the consultation period would be completed by 22 November 2019. Stage 2 would involve the publication of proposals. Members of the TFG heard that if proposals emerge to close, relocate or merge one or more of the schools, there would be a requirement to undertake a formal statutory consultation process. The TFG recognised this as an important part of the process.
- Members were concerned about prospective pupils and parents of the five schools being discouraged because of this process. The TFG were advised the admissions booklet would indicate if a school was part of, or subject to statutory consultation. Parents were always encouraged to provide three school preferences; should a decision be taken to close a school that parents had applied to, the admissions team would consider their second and third preferences and other possible arrangements. Members were reassured that WSCC had a duty to ensure a school place for a child and any decision to make a fundamental change would not leave a child without a place.
- The Director of Education advised some of the schools concerned were being financially supported with protected funding on top of the normal local authority funding contribution. He added that small schools attracted different views of parents, being popular with some but not with others. Members heard that nearly 80% of children who lived in the catchment area for Stedham did not attend that school, and for Warninglid this was 94%.
- The Chairman considered why these 5 schools had been selected. The Director of Education and Skills cited the following reasons:
 - Rumboldswyke had received an inadequate Ofsted rating leaving it with the option to either close or academise.

Academisation was not a viable option for Rumboldswyke as it was too small.

- Each of the other schools were significantly below capacity and the number of pupils on role was likely to decline further.
 - In rural areas there was limited opportunity for the population to grow in terms of accessibility to housing, age-profiles, few children, and families moving elsewhere.
 - Most of the schools identified relied heavily on children from outside of the area to populate the school.
 - Surplus capacity in other local schools.
 - 2 of the schools considered had no full-time head.
 - 2 of the schools considered had a Requires Improvement Ofsted rating and were not making adequate progress at an appropriate pace.
 - Funding for schools was dependent upon the number of children on role, as the numbers decline, the costs become greater which was an unsustainable model.
 - There were concerns at some of the schools identified about the quality of education being delivered. If they continued into a financial deficit, poor academic results were a likely outcome. In one school, expected levels of attainment were not being met, and no children were achieving above the expected level.
 - Intensive intervention by WSCC had taken place in three of the schools outlined.
- The Chairman considered if the consultation would confirm these assertions, and how forward-looking viability had been considered. Officers advised projections had been made to 2022 using a standard practice model and hoped that the consultation period would deliver a broader view and understanding of the viability of these schools.
 - Members considered that should such an exercise be repeated in the future, it was important that learning was taken from this experience. The following points were considered as ways to improve the approach, which concurred with comments provided in public representations:
 - Provide greater context regarding any high-level review, for example background information that led to the consideration of twenty-five schools being reduced to five.
 - There was a general feeling that the information in the impact assessments for the schools represented generic detail that could be applicable to any school. Future decisions of this nature should provide detailed and specific assessments of the individual schools.
 - In some cases, there was a sense that some of the information demonstrated factual inaccuracies which put the reader in doubt. Members reiterated the requirement that the content be trustworthy and correct for effective and transparent decision making.
 - Clearer information and contextual landscapes would provide a platform for more effective and informed scrutiny.
 - Alongside options of federation, merger, relocation and closure, consideration of a 'do nothing' approach should be

incorporated. This would enable an understanding of the implications of a 'do nothing' option, highlighting in a realistic way the potential outcomes, including financial positions.

- Officers advised the TFG that factual inaccuracies would be corrected and stressed a mutual desire that members and the public have confidence in the information provided.

Recommendations

- The TFG recommend to the Cabinet Member for Education and Skills that the consultation process includes a 'do nothing' option.
- The TFG recommend that the Cabinet Member for Education and Skills reflects upon and considers all representations received before any decision is taken and considers all options carefully so that TFG are assured that the Cabinet Member is fully informed.

Dates of future meetings

The next meeting of the Small Schools TFG will be confirmed once arranged.

The meeting ended at 14.02pm

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Nigel Jupp
Chairman of the Task and Finish Group
Review of Small Schools

8 October 2019

Dear Nigel,

Recommendations from the Task and Finish Group – Review of Small Schools

I refer to your letter of 20 September 2019 containing recommendations from the Task and Finish Group meeting of 18 September 2019. My responses to each recommendation are set out below.

- 1. The consultation process due to start on 4 October 2019 includes 'do nothing' as one of its options to enable consultees to promote this if they wish to.**

Following consideration of this request I have supported a 'no change' option being included within the consultation. In clarifying this inclusion I must emphasise that any representations or proposals for no change in relation to any school will only be considered in the context that sufficient and compelling evidence is provided that the school is, without change, financially and educationally viable and able to draw its intake from the local community into the future.

- 2. You reflect upon and consider all representations received from schools and parents and other stakeholders before any decision is taken.**

Thank you for providing me with copies of the representations which I took time to carefully consider prior to taking my decision. The comments made in these representations echoed those made in e-mails that I received directly from interested parties over the summer period and responded to accordingly. I appreciate and recognise the concerns of those who have made representations but there is a need for the County Council to review provision across the county as changes to the current provision are required if current and future challenges are to be met and overcome.

The consultation has now opened and I would encourage all interested parties to submit a response; the consultation can be accessed on the County Council website at the following address:-

<https://haveyoursay.westsussex.gov.uk/strategic-planning-and-place/rural-and-small-schools/>

I will be considering all responses to the consultation carefully prior to deciding the potential next steps.

3. That the notes and the record of the TFG's deliberations and further information from officers that arises be published and be made available to you to inform any decision you take.

Thank you for providing me with copies of the notes of your meeting of 18 September 2019; I note that these have also been published on the County Council website. I welcome the TFG's commitment that further information which arises and notes of any future meetings will be published on the website and also provided to me.

Yours sincerely,

A handwritten signature in blue ink that reads "Richard Burrett".

Richard Burrett
Cabinet Member for Education and Skills

Small Schools Task and Finish Group: Draft Project Plan

N.B. shaded rows show key dates in the consultation and decision-making process

Date	Meeting/event
18 Sept 2019	First TFG meeting: <ul style="list-style-type: none"> • Agree Terms of Reference • Scrutinise Cabinet Member decision to go out to consultation on small schools' proposals: <ul style="list-style-type: none"> - Review submissions received from stakeholders - Agree comments to be forwarded to the Cabinet Member
4 October to 22 Nov 2019	Stage 1: Consultation on options
24 Oct 2019 (TBC)	Second TFG meeting: <ul style="list-style-type: none"> • Agree Project Plan • Update on consultation process • Hear stakeholder views on process (see suggested stakeholders to invite overleaf) • Explanation of admissions process • Identify stakeholders to be invited to its next meeting • Identify any additional evidence or advice required • Agree any comments/recommendations to be forwarded to the Cabinet Member (and reported back to CYPSSC)
Dec 2019 – (following close of consultation period)	Final TFG meeting: <ul style="list-style-type: none"> • To assess the analysis of the consultation and identify critical sources of evidence and how all the schools affected can be considered further (to inform scrutiny by CYPSSC) • To identify how CYPSSC can best scrutinise any decision that may be taken following the consultation process (to include stakeholder input)
9 Jan 2020	CYPSSC meeting <ul style="list-style-type: none"> • To consider outcomes of consultation process and TFG output/findings • To preview Cabinet Member decision (as appropriate) for any of the schools listed • To hear stakeholder representations as appropriate • Agree any recommendations to the Cabinet member • To consider whether any further scrutiny is required, and whether there is any further role for the TFG in this.
Jan 2020	Cabinet Member decision (TBC, depending on outcomes of consultation) on proposals for any of schools listed
Jan/Feb 2020	Stage 2: publication of proposals and 6-week representation period
4 March 2020	CYPSSC meeting <ul style="list-style-type: none"> • To preview Cabinet member decision (as appropriate) on specific proposals
February/ March 2020	Stage 3: Cabinet Member decision on specific proposals for each of the schools
April 2020	Stage 4: publication of statutory proposals (4-week representation period)
31 August 2020	Stage 5: implementation of proposals (if approved)

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Director: Mr Trevor Cristin

15 October 2019

Statement from the Diocese of Chichester Relating to the Task and Finish Group

As the Director of Education for the Diocese of Chichester I am grateful for the opportunity to address this group. Unfortunately, I am unlikely to be able to be present at this meeting because I will be working alongside the Director of Education for West Sussex in a key recruitment process at this time.

As important stakeholders in many small schools in West Sussex we value the sense of partnership that exists between the Local Authority and ourselves. We view this as essential in the provision of high-quality education for our children. As partners in this role there may be times when we are not in agreement, but we would always seek to resolve conflict with dignity and an open mind.

In this situation we acknowledge the challenges that small schools face in the current funding climate. We also acknowledge that the responsibility to close schools, rests with the Local Authority. Nevertheless, we do have strong interests in the outcomes of consultations such as these and we can bring considerable value to this process.

My main point in writing is to acknowledge my gratitude to the Task and Finish Group for inviting me to attend. I have little more to add at this stage other than to emphasise that our conversations with our schools have led us to request that their individual cases are fully heard in this process. In addition, I would add that we will ensure that a member of our team attends each meeting to ensure we are fully informed.

Yours sincerely,

A handwritten signature in purple ink that reads "Trevor Cristin".

Trevor Cristin

Diocesan Director of Education

Learning with meaning and purpose: to know God and shape the world

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