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| <b>Mr Burrett, Cabinet Member for Education and Skills (and Deputy Leader)</b> | <b>Ref No:</b>                      |
| <b>September 2019</b>  | <b>Key Decision:<br/>Yes</b>        |
| <b>Small Schools Consultation on Proposals for Change</b>                      | <b>Part I</b>                       |
| <b>Report by Director for Education and Skills</b>                             | <b>Electoral Divisions:<br/>All</b> |

### **Summary**

The County Council's School Effectiveness Strategy 2018-22 sets out the need for a diverse supply of strong schools across the county. It highlights that, where schools are identified as being at risk in terms of their viability to provide an effective and financially sustainable educational provision, options for change need to be considered.

A high level impact assessment has been undertaken to ascertain whether any schools may reasonably be considered to be at risk in relation to factors which represent indicators for viability and meet the case for consideration for change, namely federation, merger, relocation or closure, when assessed against the Department for Education statutory guidance.

This assessment identified that a number of smaller schools may be considered to be at risk and, due to the specific circumstances relating to five of these schools it was determined that a more detailed impact assessment should be undertaken on potential options to address those risks. This impact assessment work has now concluded and it is proposed to undertake a consultation 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

### **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 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 consultations 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

A project team is being set up and funded from within the Education and skills budget. An assessment of potential costs to the County Council of implementing any preferred option for each of 5 schools will be made following the consultation process and before any proposals for change are finalised.

## Recommendations - The Cabinet member is requested to :-

- (1) Approve the commencement of consultation in relation to proposals for change at the following schools:-
  - Clapham and Patching CE Primary School, Clapham, Worthing
  - Compton and Up Marden CE Primary School, Compton, Chichester
  - Rumboldswyke CE Infants School, Chichester
  - Stedham Primary School, Stedham, Midhurst
  - Warninglid Primary School, Warninglid, Haywards Heath
- (2) Agree that County Council officers prepare a report on the outcome of the consultation for the Cabinet Member to decide whether to undertake further consultation in relation to specific proposals for any of the schools.

## Proposal

### 1. Background and Context

- 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 these 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.

- 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, most notably the federation between Amberley Primary School and St James CE Primary School, Coldwaltham.
- 1.4 Due to 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 impact assessments in the appendix to this report. Rumboldswyke was included following the recent Ofsted inspection which rated the school as inadequate. The options for the future of the school are very limited following this judgement. The school has to either academise or close. Discussion has taken place with the Regional Schools Commissioner (RSC) and Diocese and both are accepting that academisation of a school of the size of Rumboldswyke would not be a feasible option. In addition the financial outlook for this school is challenging and school enrolment continues to fall – currently 52 pupils from 120 capacity (2 classes). A summary of options is set out in section 2.2.

## 2 Proposal Details

- 2.1 The proposed consultation and decision-making timetable is set out below:

**4<sup>th</sup> October**  
**22<sup>nd</sup> November 2019**

**Stage one** – consultation on options

**January 2020**

The Cabinet Member for Education and Skills will consider the results of the consultation and decide whether to publish specific proposals for any of the schools listed.

Should the Cabinet Member decide to proceed with publishing specific proposals on any of the schools the following timetable would then apply

**January/February 2020**

**Stage two** – publication of proposals and 6 week representation period

**February/March 2020**

**Stage three** – Cabinet Member decision on specific proposals for each of the schools.

**April 2020**

**Stage four** – publication of statutory proposals (4 week representation period)

**31 August 2020**

**Stage five** – implementation of proposals (if approved)

2.2 It is proposed that the County Council commences a first stage consultation on options (**Stage one**) in relation to proposals for change on the basis of the attached Impact Assessments. The options under consideration are merger, federation, relocation or closure for the following schools:

- Clapham and Patching CE Primary School, Clapham, Worthing
- Compton and Up Marden CE Primary School, Compton, Chichester
- Stedham Primary School, Stedham, Midhurst
- Warninglid Primary School, Warninglid, Haywards Heath

In the case of the following school

- Rumboldswyke CE Infants School, Chichester  
merger, federation and relocation are not options for this school due to the OFSTED rating and so the consultation must focus on a proposal for possible closure.

2.3 On completion of the consultation County Council officers will summarise the responses to the public consultation and report to the Cabinet Member who will decide whether to move to the next stage of consultation, involving specific proposals for any of the schools. There is a defined statutory process in the [School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](#) which must be followed before making a decision on the closure of a maintained school in the event that this option emerges as a proposal in any case. This is supplemented by further guidance on the process published by the Department for Education.

### 3. Impact Assessment

3.1. The DfE statutory guidance for "opening and closing maintained [schools](#)" (November 2018 p16), states that "*There is a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure should be strong and a proposal must be clearly in the best interests of educational provision in the area.*

*When producing a proposal, the proposer must carefully consider:*

- *The likely effect of the closure of the school on the local community;*
- *Educational standards at the school and the likely effect on standards at neighbouring schools;*
- *The availability, and likely cost to the Local Authority, of transport to other schools;*
- *Any increase in the use of motor vehicles which is likely to result from the closure of the school, and the likely effects of any such increase; and*
- *Any alternatives to the closure of the school."*

3.2. In order to assess if there is a case for proposing changes at these rural schools (that would meet the DfE requirements), during the spring of 2019 a detailed impact assessment was undertaken on the four rural schools named in paragraph 2.2. A detailed Assessment is not required for Rumboldswyke as it is not a rural school, but it has still been assessed against the School Effectiveness Criteria and summarised in Table 1 below. The proposed

consultation process will also be an important part of assessing the impact on the local community.

- 3.3. The detailed Impact Assessments are enclosed in the Appendices 1 -4. A summary of the analysis against the school effectiveness criteria, together with the number of staff and pupils impacted is set out in Table 1 below:

Table 1

|                        | Capacity 2017/18 (PPP 2017/18) | % pupils attending school from outside catchment | % of pupils attending catchment school (-50%) | Current NOR (per pupil flow download Jan 2019) | Current Nor/ Capacity (Jan 2019) | Projected NOR 2022 (Edge Oct 2018) | OFSTED     | Potential funding change from today to 2022 | Balance 2018/19 carried forward |
|------------------------|--------------------------------|--|---|--|----------------------------------|------------------------------------|------------|---|---------------------------------|
| CLAPHAM & PATCHING     | 56                             | 92%  | 12%   | 53   | 95%                              | 32                                 | RI         | -81866.24                                   | -8529.313                       |
| COMPTON AND UP MARDEN* | 140                            | 67%  | 43%   | 90   | 64%                              | 93                                 | RI         | 18493.44                                    | 3761.8014                       |
| RUMBOLDSWHYKE          | 120                            | 44%  | 20%   | 72   | 60%                              | 68                                 | Inadequate | -22530.44                                   | 44415.009                       |
| STEDHAM                | 105                            | 77%  | 20%   | 88   | 84%                              | 76                                 | Good       | -43793.54                                   | 38961.618                       |
| WARNINGLID             | 70                             | 92%  | 6%  | 39   | 56%                              | 47                                 | Good       | 2700.29                                     | 12995.747                       |

\*School underwent expansion in 2017

- Column 1 – the capacity is the total number of pupil planned places at the school (RED if less than 100).
- Column 2 – the % pupils who are attending the school from outside the published catchment area (RED if more than 50%).
- Column 3 – the % of potential pupils who live in the catchment who go to the catchment school (RED if less than 50%).
- Column 4 – the number of pupils on the school roll in January 2019 (RED if less than 100).
- Column 5 – the % of available places which are filled in January 2019 (RED if less than 80%).
- Column 6 – the number of pupils that are projected to be at the school in 2020 (RED if less than 100).
- Column 7 – OFSTED latest rating (RED if RI or Inadequate).
- Column 8 – Forecasted potential change in funding from today to 2022.
- Column 9 – Actual balance carried forward in 2018/19.

- 3.4. All the schools proposed are flagging as RED against most of the criteria and there is surplus capacity in the locality area of each of these schools – an important additional factor in terms of the impact assessment.

- 3.5. Financially all the schools are currently in balance except Clapham and Patching (see column G in table 2). The forecast based upon the 2022 Number on Roll projections however shows that, due to falling pupil numbers, three of the schools would be in deficit by 2022 (Clapham and Patching, Rumboldswwhyke and Stedham as shown in Table 2 below – potential change in funding from today (E+F))

Table 2

| Potential change in funding based on projected numbers on roll 2022   |                    |                                  |   |                                  |                         |                                       |  |   |   |                                     |
|---|--------------------|----------------------------------|---|----------------------------------|-------------------------|---------------------------------------|--|---|---|-------------------------------------|
|   |                    | 2019-20 pupil level funding* (A) | 2019-20 Number on roll used for budgets (B) | forecast Number on roll 2022 (C) | change from 2019-20 (D) | Potential change in funding (E) (A*D) | 2019-20 MFG figure - "impact of £20k lump sum reduction" | Potential 2020-21 allocation Difference from £20k (F) | Potential funding change from today (E + F) | Balance 2018-19 carried forward (G) |
| 3007  | CLAPHAM & PATCHING | 3,329.86                         | 57  | 32                               | -25                     | -83,246.50                            | 21,380.26  | 1,380.26  | -81,866.24                                  | -8,529.31                           |
| 3010  | COMPTON & UPMARDEN | 3,206.91                         | 83  | 93                               | 10                      | 32,069.10                             | 6,424.34   | -13,575.66  | 18,493.44                                   | 3,761.80                            |
| 3005  | RUMBOLDSWHYKE      | 3,329.19                         | 72  | 68                               | -4                      | -13,316.76                            | 10,786.32  | -9,213.68   | -22,530.44                                  | 44,415.01                           |
| 2066  | STEDHAM            | 3,186.11                         | 90  | 76                               | -14                     | -44,605.54                            | 20,812.00  | 812.00  | -43,793.54                                  | 38,961.62                           |
| 2209  | WARINGLID          | 3,217.29                         | 46  | 47                               | 1                       | 3,217.29                              | 19,483.00  | -517.00   | 2,700.29                                    | 12,995.75                           |
| *2019-20 pupil level funding excludes lump sum(s) and rates   |                    |                                  |   |                                  |                         |                                       |  |   |   |                                     |
| (F) in 2020-21 expect lump sum to reduce a further £20k, using 2019-20 logic the actual change might be similar |                    |                                  |   |                                  |                         |                                       |  |   |   |                                     |
| (G) is 2018-19 balance carried forward for reference  |                    |                                  |   |                                  |                         |                                       |  |   |   |                                     |

#### 4. Consultation

- 4.1. The consultation process will commence in October and be open for a period of 6 weeks. Members of the public, pupils, parents and carers, staff, governors, dioceses, parish and district councils, the local community and other interested parties will be able to access the consultation document via the County Councils "Have Your Say" Website. A consultation document will also be available in hard copy. The local authority will consider all the views on options put forward during the consultation period in hard copy or through the "have your say" website. There will also be an opportunity to attend one of the public meetings (one will be held at each school).
- 4.2. Subject to the responses, the Cabinet Member may decide to consult on specific proposals for any of the schools. This would be undertaken during early 2020 and would involve further formal consultation with the same stakeholders as listed in 4.1. The anticipated timescale for these to be implemented would be by September 2020.
- 4.3 The proposal will enable stakeholders to consider the future of the schools against the options for change set out in the school effectiveness strategy and to make representations about whether any and which option is the right course of action. Implementation of change will be determined on criteria that support the "organisation objectives" as set out in the school effectiveness strategy namely:  
*"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"*

#### 5. Financial (revenue and capital) and Resource Implications

##### Revenue consequences of proposal

- 5.1 A project team has been created to facilitate the pre-publication consultation and to assess both the views on, and the impact of, the various options for

change at the 5 schools in question. The cost of this team will be met from within the existing Education and Skills revenue budget. We will assess the potential costs that would arise to the County Council next year of implementing any preferred option for any of the 5 schools following the consultation process.

Capital consequences

- 5.2 There will be no capital consequences as a result of carrying out this pre-publication consultation.

## 6. Legal Implications

None for the purpose of this report

## 7. Risk Implications and Mitigations

| Risks of not approving the implementation of the consultation   | Mitigation   |
|---|--|
| <p>There is a risk that the National Funding Formula (Block DSG) implementation will result in an increased number of schools with financial difficulties and increased instability of pupil numbers (due to surplus capacity) which will have an impact on a schools financial viability and educational standards</p> | <p>&gt; Continue to work closely with schools on the budgeting and forecasting to ensure they do not go into financial difficulty.<br/>           &gt; School effectiveness team continue to work closely with school to ensure standards are maintained</p> |
| <p>There is a risk that the School Effectiveness Strategy commitments may not be achieved with respect to schools organisation:</p> <p>1) All through primaries<br/>           2) Local solutions to achieve Small School viability (federation, merger, relocation, closure).</p>                                      | <p>&gt;Continuation of Locality workshops to review options and initiate discussions<br/>           &gt;Training/ recruitment of HT's with Exec Head capability.</p>   |

## 8. Options Considered

The option of not consulting would mean that we are not progressing the school effectiveness strategy organisation objectives that *"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"*. We would simply be accepting the status quo and associated risks. Other options in relation to other schools considered potentially at risk were discounted for this proposal by application of the viability criteria referred to in the report.

## **9. Equality and Human Rights Assessment**

Work has commenced on the equality impact analysis and this will be updated continuously throughout the consultation process through the collection and analysis of data that arises as part of the consultation process. This information will then be used to inform the next stage of the decision making process.

## **10 Social Value and Sustainability Assessment**

The potential impact of closure on transport (nearest school/ subject to parental preference) and travel has been assessed as part of the impact assessments included within the appendices.

## **11 Crime and Disorder Reduction Assessment**

None for the purpose of this report

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## **Appendices – Impact Assessments**

- Appendix 1 - Clapham and Patching
- Appendix 2 - Compton and Up Marden
- Appendix 3 - Stedham
- Appendix 4 - Warninglid