

Mr Burrett, Cabinet Member for Education and Skills (and Deputy Leader)	Ref No: ES02 (19/20)
September 2019	Key Decision: Yes
Small Schools Consultation on Proposals for Change	Part I
Report by Director of Education and Skills	Electoral Divisions: All
<p>Summary</p> <p>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.</p> <p>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.</p> <p>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:-</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>West Sussex Plan: Policy Impact and Context</p> <p>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.</p>	
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 the five schools will be made following the consultation process and before any proposals for change are finalised.

Recommendations

The Cabinet Member for Education and Skills is requested to:-

- (1) Approve the commencement of a consultation in relation to proposals for change at the following schools:-
 - 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
- (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 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 impact assessments in the Appendices to this report. Rumboldswyke CE Infants' School 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 the Church of England 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 – there are currently 52 pupils in a school with a capacity of 120 (2 classes). A summary of options for this school is set out in section 2.2.

2. Proposal Details

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

**4 October to
22 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 no change, merger, federation, relocation or closure for the following schools:

- Clapham and Patching CE Primary School, Clapham, Worthing
- Compton and Up Marden CE 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,
No change, 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.

2.4 Any representations or proposals for no change in relation to any school will be considered in the context of a need for sufficient and compelling evidence that the school is, without change, financially and educationally viable and able to draw its intake from the local community into the future.

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."*

It should be emphasised that this report is not suggesting proposals for closure, but simply the opening of consultation on a range of options. It is important that the broader input from a range of stakeholders is secured to supplement the impact assessment work to date and to enable the further assessment against the above considerations to be completed should any particular options for any of the schools be identified.

- 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 specific impact assessment was undertaken on the four rural schools named in paragraph 2.2. An assessment is not required for Rumboldswyke CE Infants' School 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 provide the critical additional information to enable an assessment of the impact on the local community.
- 3.3. The current specific Impact Assessments are enclosed in Appendices 1 -4. They set out the sources of the data – which in some cases will change at any point in time. They have however been applied consistently across the schools using the same source material. 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 % of 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 area 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 were filled in January 2019 (RED if less than 75%).
- 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, Rumboldswyke 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" (F)	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	WARNINGLID	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 six 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 Council's "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). The indication of the planned consultation decision in the Council's Forward Plan has also led to representations and submissions from a number of interested parties and individuals. Those have also been considered and will also be fed into any consultation that is undertaken on options.
- 4.2. Subject to the responses, the Cabinet Member may decide to consult further 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 any such proposals to be implemented would be by September 2020.

- 4.3 The consultation 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".

- 4.4 The proposal was shared with members of the Children and Young People's Services Select Committee at the meeting on 11 September 2019. The Committee resolved that, due to the need for time to consider information and representations being received from external sources, and given the need for additional time to deal with specific issues that have been raised, there would be insufficient time to provide effective scrutiny at the meeting. It therefore resolved to establish a cross-party Task and Finish Group to consider the proposal to commence a consultation and provide recommendations to the Cabinet Member for Education and Skills before any decision is taken. The Task and Finish Group would then continue its work during the consultation process to provide the Committee with further advice at a future meeting which may consider the output from the consultation.

- 4.5 The Task and Finish Group met on 18 September 2019 and made the following recommendations as the Committee's scrutiny of the proposal:

- The TFG recommended to the Cabinet Member for Education and Skills that the consultation process due to start on 4 October 2019 includes 'do nothing' as one of its options.
- The TFG recommended 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 the TFG is assured that the Cabinet Member is fully informed.
- The TFG asked that its notes and the record of its deliberations and further information from officers arising be published and be made available to the Cabinet Member to inform any decision he takes.

- 4.6 In response to the recommendations from the Task and Finish Group the Cabinet Member supported a 'no change' option being included within the proposed consultation on options (as detailed in paragraph 2.2). He noted that changes had been made to some of the data in the background documents to address points made in the representations. He also noted the concerns and questions from members on a range of issues about the work done in developing the proposals in relation to these particular schools and the responses provided to the Task and Finish Group meeting and set out in the published record. He also took time to reflect upon and consider all other representations received.

5. Financial (Revenue and Capital) and Resource Implications

Revenue consequences of proposal

- 5.1 A project team has been created to facilitate the consultation and to assess both the views on, and the impact of, the various options for change at the five 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 five schools following the consultation process.

Capital consequences

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

6. Legal Implications

- 6.1 None for the purpose of this report.

7. Risk Implications and Mitigations

Risks of not approving the implementation of the consultation	Mitigation
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 school's financial viability and educational standards	> Continue to work closely with schools on the budgeting and forecasting to ensure they do not get into financial difficulty > School Effectiveness Team continues to work closely with schools to ensure standards are maintained
There is a risk that the School Effectiveness Strategy commitments may not be achieved with respect to school organisation: 1) All-through Primaries 2) Local solutions to achieve Small School viability (federation, merger, relocation, closure)	>Continuation of Locality workshops to review options and initiate discussions >Training/recruitment of Headteachers with Executive Head capability

8. Other Options Considered

- 8.1 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 the purposes of this proposal by application of the viability criteria referred to in the report.

9. Equality and Human Rights Assessment

9.1 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

10.1 The potential impact of any closures 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

11.1 None for the purpose of this report.

Paul Wagstaff

Director of Education and Skills

Contact Officer: Graham Olway
Head of School Organisation, Capital Planning and Transport
03302 223029

Appendices

Impact Assessments – Appendices 1-4

Appendix 1 - Clapham and Patching CE Primary School

Appendix 2 - Compton and Up Marden CE School

Appendix 3 - Stedham Primary School

Appendix 4 – Warninglid Primary School

Appendix 5 – [draft notes and comments from the Task and Finish Group meeting held on 18 September 2019](#)

Background Papers - None