

<b>Cabinet Member for Education and Skills</b>	<b>Ref No:</b>
<b>April 2020</b>	<b>Key Decision: YES</b>
<b>Small Schools Proposals</b>	<b>Part I</b>
<b>Director of Education and Skills</b>	<b>Electoral Division(s): Angmering and Findon Chichester South Worth Forest Midhurst Bourne</b>
<p><b>Summary</b></p> <p>In September 2019 the Cabinet Member for Education and Skills took a <a href="#">decision</a> (decision reference ES02(19/20)) to approve the commencement of a consultation in relation to the proposed reorganisation of 5 rural and small schools in West Sussex.</p> <p>The consultation ended on 25 November 2019. Following assessment of the outcome of the consultation the Cabinet took a <a href="#">decision</a> on 14 January 2020 to undertake a further statutory consultation on the following specific proposals (decision reference CAB1019/20):</p> <ul style="list-style-type: none"> <li>(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.</li> <li>(b) Closure of Rumboldswyke C of E Infant School by September 2020.</li> <li>(c) Relocation of Warninglid Primary School and the federation of the school by September 2021 (subject to developer's progress).</li> <li>(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 ceasing.</li> </ul> <p>For Compton and Up Marden CE Primary School, the outcome of the initial consultation was to support the school in securing a federation with one or more other schools.</p> <p>The statutory consultation commenced on 3 February 2020 and closed on 16 March 2020. However, on 7 February 2020, in recognition of the commitment and progress made by the governors of Stedham Primary School and Harting C of E Primary School towards federation, consultation on the closure of Stedham was ceased. This was to enable the schools to resolve future governance arrangements with the Diocesan Board of Education (DBE) of the Diocese of Chichester by 21 April 2020. This was with the goal of achieving a hard federation over the timescale outlined in their Federation Plan.</p> <p>This report outlines the findings of the consultation including the community impact assessment of any possible closure, an analysis of available local school places, and an evaluation of the schools' viability in providing a high-quality education offer for</p>	

the community within which the school is sited. The report also provides an update on progress made by Stedham Primary School and Harting CE Primary School towards resolving the future governance arrangements by 21 April 2020 deadline. The Cabinet Member for Education and Skills will be asked to approve 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 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. 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 has been set up and funded with the Education and Skills budget. The potential financial impact of implementing the preferred options for each of the four schools is set out in section 4.

### **Recommendations**

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

- Issue closure notices for Clapham and Patching C of E Primary School, Clapham, Worthing
- Issue closure notices for Rumboldswyke C of E Infant School, Chichester
- 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
- 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.
- 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.

## **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. 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:

<b>Twelve Key Questions for Schools</b>	
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 As part of the process of implementing the School Effectiveness Strategy, the County Council held workshops on 9 October 2018, 27 February 2019 and 5 March 2019, to which a number of schools were invited to attend and discuss data on their schools. The outcome of the analysis and discussions that were held was reviewed, and further discussions were initiated with a number of schools on future options such as merger, federation, academisation, relocation or closure. A number of schools have subsequently progressed discussions and some have formally federated. Most notably these have included the federation of Amberley Primary School with St James's C of E Primary School Coldwaltham and the recent federation of Rake Primary School and Rogate C of E Primary School who have

been working towards federation for some 18 months. The County Council has continued to support schools seeking to federate and, as part of this, have published its intent to support federations of schools their first two years to help tackle some of the early challenges they face. A conference was planned for 17 March 2020, to be attended by over 100 headteachers and governors with federation as a key focus. The event was cancelled due to Coronavirus concerns and will be re arranged later in 2020. Since March 2019, and through the process of consultation, the local authority has seen a significant increase in the number of primary schools that either have federated, or intend to federate formally in the next few months with an additional 14 schools actively pursuing federation that were not at this stage last year.

- 1.4 Following the analysis described in paragraph 1.2 due to specific circumstances around 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](#).
- 1.5 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.
- 1.6 In September 2019, the Cabinet Member for Education and Skills (decision reference ES02(19/20)) [approved](#) the commencement of a consultation in relation to 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.
- 1.7 Following assessment of the outcome of the consultation, the Cabinet took a [decision](#) to consult on the following specific proposals (decision reference CAB1019/20):
  - (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 ceasing<sup>1</sup>.

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.

## 2. Proposal Details

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

<b>7 October 25 November 2019</b>	<b>Stage one</b> – consultation on options – complete
<b>14 January 2020</b>	The Cabinet considered the results of the consultation and decided whether to publish specific proposals for any of the schools listed. - complete
<b>3 February to 16 March 2020</b>	<b>Stage two</b> – publication of proposals and 6 week representation period
<b>21 April 2020</b>	<b>Stage three</b> – Cabinet Member decision on specific proposals for each of the schools.
<b>5 May to 8 June 2020</b>	<b>Stage four</b> – publication of statutory proposals (4 week representation period) followed by cabinet decision.
<b>31 August 2020</b>	<b>Stage five</b> – implementation of proposals (for Warninglid this will depend on delivery of the build on the Pease Pottage site, which is currently planned for June 2021)

2.2 After consideration of the outcome of the Stage 2 consultation, alongside community impact assessments for Clapham and Patching C of E Primary School and Rumboldswyke C of E Infant School, along with updates on progress being made by Stedham Primary School and Compton Up Marden CE Primary School, it is proposed that the County Council approves the following next steps:

- Issue closure notices for Clapham and Patching C of E Primary School, Clapham, Worthing (**Stage 4**)
- Issue closure notices for Rumboldswyke C of E Infant School, Chichester (**Stage 4**)
- Request County Council Officers to continue to work with Governors to progress the Federation Action Plan submitted by Stedham Primary and Harting CE Primary

<sup>1</sup> 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.

Schools to ensure that the target date for achieving a hard federation is achieved by the target date of January 2021

- 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
- 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). 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.

2.3 Due to the current Covid 19 national situation, there have been calls to postpone the current consultation process. As the consultation has already completed and the Council have systems in place to provide scrutiny of the recommendations and a process for decision making, it has been agreed to continue. Not to finalise a decision on the schools leaves the risk of continuing uncertainty and instability.

2.4 Although schools are currently closed for the majority of pupils at this time, the mini-admissions round, to enable displaced pupils to obtain a place at an alternative school, planned for the parents of any school subject to closure is not taking place until mid-June 2020 and if further impacted by Covid – 19 then parents will be advised accordingly as to how the round will take place in such circumstances. There is significant information about each school on the school's own website which can provide information for parents seeking to find a new school place for their child. It is anticipated that each school will have staff on site over the coming weeks should parents wish to ask further questions. For those few children with Special Educational Needs or Disabilities (SEND), links have already been made with some parents and further contact with the remainder will be made in the coming weeks to look at alternative provision that can meet children's specific needs. Transition will be an important consideration and the Education and Skills service will be working with each child and their parent to manage any transition.

2.5 The process of agreeing systems and processes for any resulting staff redeployment or redundancy have already been agreed and it is anticipated that schools will still be looking at long term staffing changes over the coming months.

## **Factors taken into account**

### **3. Consultation**

3.1 On the 3 February 2020, copies of the public consultation document were distributed to the following:- Members of Parliament, County Local Committee (CLC) members, District and Parish councillors, union representatives, neighbouring authorities, the parents/carers, staff and governors, early years providers, local libraries, the Diocese of Chichester and the Diocese of Arundel and Brighton and Independent Schools. The consultation was also published on the County Council website and the proposals received local press coverage.

3.2 On the 7 February 2020 the consultation in relation to the closure of Stedham Primary school was suspended. This was in recognition of the commitment made

by the governors of Stedham Primary School and Harting C of E Primary School to resolve future governance arrangements by 21 April 2020, so that the goal of achieving a hard federation could be achieved over the timescale outlined in the schools Federation Plan.

3.3 During the period 12 February 2020 – 3 March 2020, three public consultation meetings were held at neutral venues or, in the case of Warninglid Primary School, at the school. In total approximately 170 people attended the three public meetings. Notes from each of these public meetings were added to the consultation website.

3.4 The consultation sought comments on the proposal to close the following schools:

- Clapham and Patching C of E Primary School, Clapham, Worthing whilst continuing to discuss academisation proposals; and
- Closure of Rumboldswyke C of E Infant School effective September 2020.

The consultation also sought comments on the proposal to relocate Warninglid Primary School and the federation of the school by September 2021 (subject to developer's progress).

3.5 Responses to the consultation were received via the online survey, the response form in the consultation booklet, by letter and by email, which were manually entered onto the system.

3.6 The consultation period ended on the 16 March 2020. A total of 711 responses were received.

For Clapham and Patching C of E Primary School, in total 316 responses were received. 301 people had completed a response to the consultation either on-line or by returning the response form at the back of the consultation document. 15 emails and letters were received in relation to the consultation and have been acknowledged. A petition for Clapham and Patching C of E Primary School with 67 signatures was received during the public meeting held on 12 February 2020 at The Angmering School. A petition by staff at the old people's home with 12 signatures was also received.

For Rumboldswyke C of E Infant School, in total 201 responses were received. 192 people had completed a response to the consultation either on-line or by returning the response form at the back of the consultation document. 9 emails and letters were received in relation to the consultation and have been acknowledged.

For Warninglid Primary School, in total 194 responses were received. 190 people had completed a response to the consultation either on-line or by returning the response form at the back of the consultation document. 4 emails and letters were received in relation to the consultation and have been acknowledged.

A summative petition entitled 'Keep West Sussex Small Schools Open' and covering Clapham and Patching C of E Primary School, Rumboldswyke C of E Infant School and Stedham Primary School was received with 3260 signatures. However, of these 3200 signatures were verified.

Respondents to the consultation did not always provide answers to all questions.

There were two late responses received after the closing date, these comments have not been included in the final analysis.

A summary and detailed analysis of the online responses received for Clapham and Patching C of E Primary School, Rumboldswyke C of E Infant School and Warninglid Primary School are attached as appendices 1, 4 and 7. The full set of responses have been shared with the Cabinet member.

### 3.7 Community Impact Assessment for any rural school being considered for potential closure.

DFE guidance <https://www.gov.uk/government/organisations/department-for-education/services-information> 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 LA, 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.*

*Proposers should provide evidence to show they have carefully considered:*

- *Alternatives to closure including federation with another local school; conversion to academy status and joining a multi-academy trust; the scope for an extended school to provide local community services and facilities e.g. childcare facilities, family and adult learning, healthcare, community internet access etc;*
- *Transport implications i.e. the availability, and likely cost of transport to other schools and sustainability issues; the size of the school and whether it puts the children at an educational disadvantage e.g. in terms of breadth of curriculum or resources available;*
- *The overall and long-term impact on the local community of the closure of the village school and of the loss of the building as a community facility; and wider school organisation and capacity of good schools in the area to accommodate displaced pupils.*

A Community Impact Assessment has been undertaken in response to these requirements for Clapham and Patching C of E Primary School and meetings were held with the Parish Council and the Church. A transport impact survey has also been undertaken and interviews have been held with neighbouring schools with regard to the part they are able to play in providing community support in the event of closure of the school. The Impact Assessment is included as appendix 2. The key findings of the assessment are included in 7.2.

- 3.8 Although not strictly required by the DFE guidance a Community Impact Assessment has also been undertaken for Rumboldswyke C of E Infant School. The Impact Assessment is included as appendix 5. The key findings of the assessment are included in 7.6.
- 3.9 A community impact assessment has not been undertaken for Warninglid Primary School as it is relocating and not subject to a consultation on closure
- 3.10 The Small Schools Scrutiny Task and Finish Group will convene to review the proposals on 7 April 2020. The Cabinet will then be consulted on the proposals prior to a decision being made by the Cabinet Member for Education and Skills in April.

#### **4. Financial (revenue and capital) and Resource Implications**

##### Revenue

- 4.1. Since funding for the day-to-day operations of schools comes from the ring-fenced Dedicated Schools Grant (DSG), the implications of any changes to school organisation for the Council's on-going revenue budget is fairly cost neutral. The amount of funding that a school receives to meet its day-to-day running costs is largely driven by the number of pupils on roll in the autumn census each year. As a result of any closure of a school, there will be a redistribution of funding across the remaining schools in that phase and the level of additional funding will vary at each of these schools depending on the number of extra pupils on roll that it attracts. Further work will be undertaken with schools in order to support them with their budget planning. Where schools are below capacity, many find it increasingly challenging to maintain staffing levels. The more primary schools there are with surplus provision, the greater the risk of schools being unable to sustain staffing levels. The cost of any redundancies falls to the County Council. It is therefore incumbent on the County Council to ensure that schools fill to their planned capacity by reducing surplus provision to ensure that public funds are used effectively and efficiently. Where a local authority has surplus provision, this impacts negatively on grant application linked with Basic Need, and on the contributions the Council can secure from developers for school capital through Section 106 contributions. This puts increasing pressure on West Sussex County Council to find internal resources to fund or expand school building development where it is needed most.
- 4.2 Should the Cabinet Member choose to issue closure notices for each school as recommended in this report, despite the schools being funded by DSG, it has been estimated that the following potential revenue costs may fall specifically to the County Council:
- One-off costs in relation to redundancy, payments in lieu of notice (pilon) and early retirement (£0.353m), and
  - On-going home to school transport costs (£0.29m) for those pupils who would live more than three miles away from the nearest alternative school.<sup>2</sup>

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<sup>2</sup> This provides an estimate as much depends on the alternative schools chosen.

- 4.3 In addition, where a school closes in August, it may be left with stranded contract costs (£0.056m) in relation to buildings maintenance, cleaning, transport, IT and other consumables for the remainder of the year.
- 4.4 A breakdown of these potential costs by school is set out in the table below:

	One-off Costs £m	Transport Costs £m	Stranded Costs £m
Clapham & Patching	£0.175	£0.029	£0.028
Rumboldswyke	£0.178	Nil	£0.028
<b>Total</b>	<b>£0.353</b>	<b>£0.029</b>	<b>£0.056</b>

- 4.5 Any one-off redundancy and pension costs and stranded contract costs may be off-set through the use of any surplus balances remaining with the schools when they close. Any of the one-off costs that cannot be off-set in this way will be charged against the Education and Skill's dismissal or premature retirement budget next year. The value of this budget currently totals £0.490m. At the end of March 2019 Clapham and Patching C of E Primary School had a deficit of £0.009m with Rumboldswyke C of E Infants school having a balance of £0.044m.
- 4.6 A project team has been created in order to facilitate the pre-publication consultation and to assess both the views on, and the impact of, the various options for change at the schools in question. The cost of this team is being met from within the existing Education and Skills revenue budget, and includes 12 months funding for backfilling posts within School Place Planning, Admissions, Human Resources, and Finance.

#### Capital

- 4.7 The following potential capital costs have been identified:
- £0.075m to fund furniture, fittings, IT and equipment (FFE) at the new school in Pease Pottage in 2021 as part of relocation of Warninglid Primary School.

## **5. Legal Implications**

None for the purpose of this report.

## **6. Risk Implications and Mitigations**

Risks of not approving the implementation of the consultation	Mitigation
There is a risk that the National Funding Formula (Schools Block DSG) will result in an increased number of schools with financial difficulties and increased instability of pupil numbers across schools where there are already surplus places which will have an impact on	<p>&gt; Continue to work closely with schools on the budgeting and forecasting to ensure they do not go into financial difficulty.</p> <p>&gt; School effectiveness team continue to work closely with school to ensure standards are maintained.</p>

<p>schools' financial viability and educational standards</p>	<ul style="list-style-type: none"> <li>&gt; Work with affected schools to manage staff reductions and redundancies.</li> <li>&gt; Work with Schools Forum to remove future Small Schools £20,000 additional lump sum protection and redistribute this across all schools.</li> </ul>
<p>There is a risk that those schools that are earmarked for closure or relocation may suffer from a falling enrolment before they close, and thereby lose DSG pupil funding as a result.</p>	<p>&gt;Schools will be able to bid for additional DSG funds from the Schools in Financial Difficulty budget where 'an unusual or unexpected one-off situation has occurred'.</p>
<p>There is a risk that the School Effectiveness Strategy commitments may not be achieved with respect to school organisation:</p> <p>1) All through primaries 2) Local solutions to achieve Small School viability (federation, merger, relocation, closure).</p>	<ul style="list-style-type: none"> <li>&gt;Continuation of Locality workshops to review options and initiate discussions</li> <li>&gt;Training/ recruitment of HT's with Exec Head capability</li> <li>&gt;Further targeted discussions with vulnerable schools</li> </ul>
<p>There is a risk that not to act could continue to sustain the current proportion of surplus places across the county's schools thereby increasing financial and staffing risks to several schools into the future.</p>	<ul style="list-style-type: none"> <li>&gt;Explore options for reducing surplus places through federations consolidating on to one site where feasible, thereby reducing surplus provision; or</li> <li>&gt;Seeking alternative use for surplus provision in some schools either through provision for SEND or alternative provision for vulnerable students</li> </ul>
<p>There is a risk of pupils with Education and Healthcare Plans (EHCPs) and those with school identified SEND being unsettled by any move and the receiving school not having the trained resources required to meet their needs in place in time to meet those needs at the beginning of the transition</p>	<ul style="list-style-type: none"> <li>&gt;The process of supporting parents will ensure that any move to a new placement is managed effectively with receiving schools engaged fully, and with all necessary information for appropriate resources to be in place to ensure a smooth transition.</li> <li>&gt;Funding for EHCP requirements will follow the child to the receiving school</li> <li>&gt;Additional Specialist Support Centre provision and support for schools in SEND is planned within the SEND and Inclusion Strategy 2019-24</li> </ul>
<p>The process is delayed due to national developments including the impact of coronavirus which leaves the school facing uncertainty over a longer period and leading to natural reductions in enrolment due to parents seeking other schools and further financial difficulties and staff reductions.</p>	<ul style="list-style-type: none"> <li>&gt;Maintain the governance and decision - making schedule and explore alternative means of ensuring scrutiny and decision making if meetings become difficult.</li> <li>&gt; Securing appropriate staffing to ensure that the project meets timelines</li> <li>&gt; Ensure that parents of children currently attending the schools are supported in finding appropriate alternative provision.</li> </ul>

## **7. Other Options Considered** (and reasons for not proposing)

### 7.1 Overarching Consideration

7.11 The option of not progressing the chosen option for each of the schools, would mean that we are not progressing the school effectiveness strategy "organisation objective" 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 in which the school is sited and provide strong outcomes for children*". Concerns would not be addressed and further uncertainty for these schools is predicted. Action therefore needs to be taken following the analysis and public consultation in 2019.

7.12 In the cases of both Clapham and Patching CE Primary School and Rumboldswyke CE Infant School, interest in academizing the schools has been shown by two separate Trusts and with different conditions attached. However, the Regional Schools Commissioner has, in both cases, indicated that no consideration would be given to any proposals until the County Council has completed its consultation process on the viability and proposals to close these schools. Consideration of these approaches has taken place as part of this process.

7.13 The County Council has been in discussions with stakeholders throughout the consultation process. This has meant that opportunities, as and when they are presented, have been investigated and progressed.

### **7.2 Clapham and Patching C of E Primary School**

7.21 Whilst it has been acknowledged that "no change is not an option", no proposals were presented throughout the process for Clapham and Patching CE Primary School to explore federation. Whilst the school is currently on a financial recovery plan and aiming to be within a slight surplus at the end of this financial year, the numbers on roll have been below capacity for several years and the school's finances are artificially inflated due to an additional SEND allocation (higher than average) the local authority has provided over and above that which it is entitled to receive. The school also receives a £20,000 protected supplement provided through the Schools Forum to offset the reduction of the financial lump sum each school receives to meet the national funding formula. Although Schools Forum have protected this for a further year, it is unlikely that this supplement will be maintained beyond 2020-21 as school funding moves to implement the national funding formula.

7.22 There has been no "*sufficient and compelling evidence*" submitted to demonstrate that the school is, or could be "*financially and educationally viable, **and** able to draw its intake from the local community, into the future*". Although there have been many discussions, and much interpretation of data and the availability of primary school places at public meetings, it is acknowledged that the local catchment area is not, and will not, provide the numbers required to fill the school's capacity now or into the future. It will therefore continue to be heavily reliant on drawing children from a wider area. This is also acknowledged by the South Downs Education Trust, the academy trust who have expressed interest in academizing the school, who's own projections show the school unable to meet

its capacity of 56 pupils over the next three years, and openly commit to draw children from a wider area than the current catchment. Relying on admissions from out of area puts other schools, already with surplus places, at greater financial and educational risk. There are currently 255 surplus spaces across 10 primary schools in the localities from where children from Clapham and Patching CE School travel. These have been verified with headteachers of the schools concerned. 60% of these schools are Ofsted rated Good or Outstanding. There are therefore sufficient alternative primary school places of a high quality in the local area and in the localities that are often closer to the pupils' own homes. Reducing surplus provision by closing Clapham and Patching will strengthen other schools into the future.

- 7.23 Clapham and Patching CE Primary School currently has a proportionally high number of children with SEND. Much has been made of the school's current nurturing ethos as being '*unique*' in being able to meet the needs of children. However, mobility of pupils is also disproportionately high with a significant number of children being admitted to the school and similar numbers leaving within year or at points other than the natural transition point to secondary school. In 2017-18, 15 pupils left the school other than the end of Year 6 and 12 were admitted as in year admissions. In 2018-19, 17 left and 14 joined. This is very high mobility considering the size of the school. Although the reasons are varied, consultation feedback from some respondents in November indicated that the school did not meet their child's needs and that the significant number of pupils with SEND in the school did affect provision overall.
- 7.24 As the school is a mainstream primary school with no specific SEND designation, pupils with SEND currently attending Clapham and Patching CE Primary School, could be educated in other primary schools with the additional support they would require, either through their EHCP or through local SEND support. Of all 6 primary schools with spaces locally, 60% of the Ofsted inspections in these schools indicated the school to be good or better. In 100% of the primary schools with places, provision for SEND is effective with many positive comments about the schools' inclusive nature, and the ambition and support for pupils with SEND. Example OFSTED comments from relevant schools are included in appendix 8. It is therefore not accurate to say that the needs of the small number of pupils with SEND at Clapham and Patching CE Primary School could not be met in other local schools. SENAT and the County's Specialist Teacher Team have committed to working with parents and have already begun to find appropriate alternative placements that meet their children's needs.
- 7.25 Feedback though the consultation process has been mixed in relation to the school and its future. At the public meetings, some parents spoke passionately about the nurturing ethos of the school. Some spoke on how they had moved their children to the school due to poor experiences in meeting their children's special educational needs in other schools. Written responses to the consultation process have been more varied in how effectively the school was able to meet the needs of pupils with special educational needs. Indeed, the school's ability or inability to meet the needs of pupils with SEND when there was such a high proportion within the school was an important factor in many responses.
- 7.26 A community impact assessment was undertaken and the following key points were raised:

- Clapham and Patching CE Primary School is considered by many as an important part of village life by active members in the community. Closure is therefore not supported by most residents who responded, and the verbal feedback has indicated that closure would have a negative effect on the community in making the village less attractive for young families. However, few primary aged children reside in the villages and, of those that do, the majority choose to attend other schools. This does not support the case made locally that the presence of the school is required to attract younger families.
- Clapham and Patching CE Primary School does not have its own hall. Therefore, any community events held by the school or the village already utilise the village hall as their main space, severely limiting the role the school can have in the wider community.
- Community events involving Clapham and Patching CE Primary School are infrequent and indeed, as the majority of children travel from outside the catchment, there is limited involvement in community events generally outside of the school day.
- Some events the school hold, such as the annual choir concert for the Clapham Lodge care home, would likely not be able to continue, as Clapham and Patching does not have many children in its local area. However, other local schools have been interviewed as part of the Community Impact Assessment and several have suggested that they could step in and provide such concerts in the future should Clapham and Patching CE School close.
- 92% of pupils attending Clapham and Patching C of E Primary School come from outside the catchment area. The closure of the school would therefore result in an overall reduction rather than increases in traffic, parking and congestion in the villages.
- There are very few children resident in the school's catchment area and other primary schools with surplus spaces are available within appropriate travelling times in line with national guidance. Indeed, as several schools with surplus provision are closer to children's own homes, travel times overall would be reduced if the school was closed.
- Clapham and Patching villages have several alternative community spaces, which are all utilised for community activities and festivities. Therefore, the closure of the school would not reduce available community spaces.
- The closure of Clapham and Patching CE Primary School will impact on the core vision of both Parish's Neighbourhood Plans by removing a community facility. However, outside the plans' desire to protect current facilities, it does not impact other core objectives stated within the plans.
- There is the potential for an increased transport costs to the local authority post closure, however pre-existing transport arrangements are likely to remain neutral. Overall vehicle movements and pupil miles will reduce if displaced parents choose their catchment or nearest school.

7.27 Interest has been shown by South Downs Education Trust to academise the school and the Trust has developed some plans which the local authority has reviewed. The local authority has also posed further suggestions and questions in support of securing greater clarity on how the school's viability would be any greater than at present. The Regional Schools Commissioner (RSC) has written and indicated clearly to the Trust that they would not consider any application for

an academy order until after the County Council has completed its consultation. The RSC indicates clearly that:

*'It is the local authority's decision to propose the closure of any of its schools and we do not wish to undermine the statutory process. Therefore, your case for the future viability of the school must be made to the local authority.'*

7.28 The Trust has not made a convincing case to the local authority and, despite questions posed to help the Trust provide this, the information provided is limited and does not make the case. In coming to this decision, the following key pieces of information have been considered:

- a. Several questions were posed to understand the financial and proposed staffing models for the school if academized by the Trust. Despite two attempts to seek responses from the Trust on these issues, the Trust has not provided the information we need. The CEO of the Trust wrote to the local authority on 6<sup>th</sup> March and indicated the following:

*'I understand your need to seek assurance but you will not be surprised that we would consider many of your requests to impinge on areas that we would consider commercially sensitive.'*

We have again asked for this information and this has not been provided.

- b. The ambition for increasing enrolment is low, with the Trust aiming to increase NOR to only 49 from its current 43 over the next three academic years which remains below the capacity of 56. This will leave space in the school and indicates that either the Trust recognises that the school is unable to fill to its current capacity, or that surplus places are intentionally being left open. In both cases, this demonstrates a challenge to the school financially.
- c. One of the key drivers for parents at the school has been that they wish the school to remain due to its nurturing ethos, and because it meets the needs of children with special educational needs. The Trust's planned pupil projections show a reduction in pupils with SEND, Pupil Premium and Children Looked After (CLA) over the next three years. Over three years the planned reduction in vulnerable and SEND pupils outlined in the Trust's plan is significant:

Number of pupils	2020-21	2021-22	2022-23
Pupil Premium	3	3	3
EHCPs	8	6	3
SEND not EHCP	11	9	7
CLA	1	1	1
EAL	3	2	0
<b>Total vulnerable</b>	<b>26</b>	<b>21</b>	<b>14</b>
Other	17	25	35

This will alter the context of the school and negate what parents consider to be the key rationale for not closing the school.

- d. The Trust has been unwilling to provide any detail of its proposed staffing post academisation. Much of the ethos at Clapham and Patching CE Primary School

has been set by the current headteacher. The Trust however, has stated that they are not planning on having a headteacher at the school long-term. The Trust has also indicated that they will run 'most of the functions' for Clapham and Patching from Worthing High School which is only 10 minutes away. Despite requesting information on the implication of these on the future staffing structures, the Trust has declined to provide any further information or clarity and considers this to be commercially sensitive.

- e. The Trust is a secondary school with currently no primary school within the Trust. The local authority has asked how the Trust will be able to provide the primary specific support required for the school in the future. The Trust makes mention of commissioning expertise from a local primary school. However, this has not been secured and the Chair of Governors of the named school has confirmed that no formal proposals have been tabled.

7.29 In recommending the issuing of a closure notice, we are mindful that, the community impact of closure is limited, that pupils can secure appropriate alternative places at good or outstanding schools closer to where they live, and that the small number of pupils with SEND can be supported and secured alternative places that can equally meet their needs with the local authority working with parents to ensure a smooth and supported transition. We have also considered that the case for viability through academisation has not been made by the South Downs Education Trust.

### **7.3 Compton and Up Marden C of E Primary School**

7.31 During the initial consultation process, proposals were received from the Governors of Compton and Up Marden C of E Primary School for the school to remain unchanged. It was recognised that whilst these proposals were developed with good intent, they did not, on their own contain "*sufficient and compelling evidence*" that the school will be "*financially and educationally viable **and** able to draw its intake from the local community into the future*".

7.32 Views captured through the first consultation process made strong representation of the impact that closure of the school would have on the local community. The school is also one of a few within the county that is in receipt of additional financial support for sparsity due to its geographical isolation. Local transport in the Compton and Up Marden area is limited. In analysing availability in local schools to accommodate pupils in the event of closure, significant capital investment would also be required to create the additional places required.

7.33 Whilst taking into account the full range of representations received from the school and community and consideration of the geographical isolation, size and access to the range of specialist expertise at the school, it was recognised that a federation with an appropriate school or schools would support increasing access to expertise to enhance provision and help overcome some of the isolation faced.

7.34 On 10th March 2020 Officers held a meeting with the Chair of Governors of the school. The purpose of the meeting was to understand the progress that has been made since the 16<sup>th</sup> January by the Governing body with its assessment

and progression of future organisational options, that will benefit the school and its pupils in the future.

- 7.35 At the meeting the Chair of Governors outlined some of the work that is in progress and the options that were currently being considered, which included both academisation and federation. A Governors meeting on 26 March 2020 will discuss these options more fully. The Governors are then proposing to hold a Strategy Day on 22 April 2020 with both WSCC Officers and the Diocese to attend (subject to the Covid -19 restrictions). It is intended that the outcome of the Strategy Day will be to narrow the options and agree a clear way forward against an agreed timetable.

#### **7.4 Stedham Primary School**

- 7.41 During the first consultation phase, governors of Stedham Primary School had begun to explore federation but their proposals and partnerships, although developing rapidly, were not in an advanced or at a formal stage by the timing of the Cabinet meeting in January 2020. Following the Cabinet in January, proposals for federation with Harting CE Primary School were advanced. A Federation Action Plan was produced and initial soundings had been taken with the Diocese regarding requirements that needed to be addressed, particularly in relation to governance, for the federation to be acceptable to the Diocese. In recognition of the commitment made by the governors of Stedham Primary School and Harting C of E Primary School to resolve future governance arrangements by 21 April 2020 and to achieve a hard federation by January 2021, the consultation on closure was ceased. It was recognised however that if these matters were not resolved by the 21 April 2020, then a review of the situation would take place and the recommendation to consult on closure could be reinstated.
- 7.42 On 16 March 2020 a West Sussex representative and the Diocese held a meeting with governors and headteachers of both schools. The conclusion of the meeting was that the plans for future governance of the Federation were sufficient to meet the Diocesan Board of Education's requirements and it was also acknowledged that the schools were already operating effectively together in a loose federation. It was therefore resolved to support the schools in their Federation and in monitoring the implementation of their Federation Plan within the timelines set for achieving a hard federation by January 2021. The 16<sup>th</sup> March meeting minutes and an enhanced federation status summary demonstrating the progress being made is included in appendix 9.

#### **7.5 Warninglid C of E Primary School, Warninglid**

- 7.51 Warninglid Primary School governors were open in their view that for the school to continue as they were was not an option, and that they had been working closely with the local authority over two years to secure a federation to strengthen the longer-term future of the school. The school made a strong case that the current location of the school is unhelpful due to the lack of visibility and low numbers of children from within the current catchment area. To meet Section 106 requirements in association with a new housing development, a new school is being built by developers at Pease Pottage and will open in September 2021 (subject to the developer completing the build by June 2021).

7.52 Consultation responses indicated that relocation of Warninglid to this new site would be a positive move. However, this was seen by some to potentially impact on other local schools. During the consultation process, the governing bodies of two neighbouring schools indicated an interest in establishing a federation with Warninglid Primary School. Whilst it is proposed that Warninglid Primary School relocates to the new site at Pease Pottage upon completion of the new build, it is recommended that a federation would also bring greater strength and support to the school. Proposals have been received from the governing bodies of both Warninglid Primary School and Colgate Primary School, to seek a federation on equal terms as such a partnership would bring benefits to both schools. The Governing Bodies have conveyed their plans to federate to parents of their respective schools. Plans are being supported and monitored by the local authority to secure the federation of the two schools. An interest has also been expressed by Handcross Primary School in federating with both schools. Any relocation of the school to the Pease Pottage site will require the local authority to look at catchment areas for the schools in the area, and also to work with parents of those children who live towards the south of the current school location to ensure that options for more local provision can be offered if required.

## **7.6 Rumboldswyke C of E Infant School**

7.61 Rumboldswyke CE Infant School was one of the five schools for which discussions were taking place about future sustainability prior to the school's Ofsted inspection in May 2019. However, the inspection's rating of the school as inadequate restricted future options available for the school. Under the DfE Schools Causing Concern 2019 protocol, the school has only the options of academisation or closure. Discussion has taken place with the Regional Schools Commissioner (RSC) and the Church of England Diocese. Both are accepting that academisation of a school of the size of Rumboldswyke CE Infant School is a challenge. The RSC has held back on issuing an academisation order pending the County Council's consultation to determine future viability. The options for the school are still limited and do not include remaining within the local authority's control, either as a stand-alone school or in a federation. The consultation process has received significant publicity. However, officers have approached local Multi-Academy Trusts including the Diocese of Chichester Academy Trust (DCAT) and no Trust has indicated a desire to academise the school as an infant school.

7.62 Suggestion has been made around expanding the school to incorporate key stage 2 pupils and for Rumboldswyke to be an all-through primary school. Bishop Luffa School MAT has indicated an interest in undertaking due diligence and potentially academizing the school only as a 4-11 primary school. However, based on place planning and current pupil numbers, there are already 339 surplus primary school places in Chichester, with 250 of these being in key stage 2. Therefore, there is no need for additional Key Stage 2 places. To create additional places when there is already over capacity would negatively affect the pupil numbers and viability of other schools. Representations have been made that the school should remain open as future housing is planned nearby (such as the Southern Gateway). However, the development is long-term and there are other schools with capacity, which are closer. Section 106 contributions will also fund additional capacity as part of the development once it takes place. It is important to note however that the County Council's pupil projections data which identify surplus provision in Chichester now and into the future, incorporates the predicted pupil

numbers from all proposed new housing developments that have secured planning approval.

- 7.63 A concern has been raised regarding the impact of closure on reducing key stage 1 church school places within the community. However, the local authority is working with the Church of England Diocese to mitigate this risk and to ensure sufficient church school places for key stage 1 pupils into the future. The financial outlook for this school remains challenging and school enrolment continues to fall. There are a small number of pupils with SEND at the school and the County Council's SENAT and Specialist Teacher Team are working with parents to secure appropriate alternative provision. During the consultation, concern has also been expressed about the climate emergency and the loss of a school that is easily accessible on foot and with good cycle routes. However, other local schools with surplus places are within easy walking distance of the Rumboldswyke community and within the statutory guidance of 45 minutes from home to school for children in the primary years.
- 7.64 During the first consultation period, the school received its first monitoring visit from Ofsted since being judged as inadequate. The visit recognised positive work and judged appropriate actions were taking place, and that the action and support plans were fit for purpose. Whilst recognising progress is being made, leadership at the school is interim only for the remainder of this academic year and, whilst it is recognised that the impact of leaders must not be under-estimated, reference is made within the monitoring letter to 'early signs' of progress in learning and pupils' achievement. The DfE Schools Causing Concern protocol (September 2019) indicates that even where a second Ofsted Section 5 inspection judges the school to be no longer inadequate, this on its own would be insufficient to broaden the range of future options for the school.
- 7.65 Although not a statutory requirement as it is for rural schools, we have undertaken a community impact assessment for the school. The key points arising are as follows:
- Rumboldswyke does not hold events for the wider community in the school buildings. Therefore, community impact will be limited.
  - The community has a significant number of facilities and regular events throughout the year. Given the age range of Rumboldswyke students, it is unlikely these will be negatively affected by the closure of the school. Some other schools are already involved in such events as they also draw children from the Rumboldswyke community.
  - No transport costs are expected to accrue to the authority, due to local availability of alternative places.
  - A travel assessment on the effect closure would have on local transport infrastructure concluded that a net increase in trip movements by car is unlikely.
  - The redistribution of the school population to other schools within the Chichester area has been assessed and is unlikely to generate a net increase in movements, as there are travel options for walking and cycling to some of these schools from the existing catchment area.
  - Other local schools have committed to strengthening their community work and indeed two already draw significant numbers of children from the Rumboldswyke community and are already aware of, and support local community events.

- 7.66 The school land and site is mainly owned by the Church of England Diocese and following the completion of closure, the local authority would wish to engage with the Diocese to look at alternative uses of the building for educational purposes in preference to the site being sold for development.
- 7.67 The impact of the closure of the school on the local community has been discussed with representation being made by the local community and local church. However, other local schools serve the same community and are keen to strengthen their links into the community and through the local church to meet any gaps created by the closure of Rumboldswyke C of E Infant School. Due to the low pupil numbers, the surplus provision of key stage 2 places within Chichester, the lack of interest from local MATs to academise the school as a stand-alone Infant School, along with the availability of alternative places for pupils currently attending the school, Rumboldswyke CE Infant School is not a viable proposition into the future.
- 7.68 In recommending the issuing of a closure notice, we are mindful that, the community impact of closure is limited, that pupils can secure appropriate alternative places within Chichester, and that there has been no appetite from other Trusts to academise the school as an Infant School. There is no need for additional key stage 2 places in Chichester and creating additional places will have a significant impact on current key stage 2 schools already running under capacity.

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

The equality impact analysis (appendix 10) has been updated continuously throughout the consultation process through the collection and analysis of data that arises as part of the consultation process. This information has been used to inform the decision making process.

## **9. Social Value and Sustainability Assessment**

The DFE guidance 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 in which the school is sited". Rumboldswyke C of E Infant School is not a rural school and therefore this presumption does not apply in this case.

The effect of closure of schools on the communities of Clapham and Patching and Rumboldswyke, and on the community of Warninglid (if relocation is the chosen option) was noted in several written responses during the consultation. An extract of relevant comments is included in the annex (appendix 8)

The potential impact of closure on transport (nearest school/subject to parental preference) and travel has been assessed as part of the community impact assessments which are included in appendices 2 and 5.

## **10. Crime and Disorder Reduction Assessment**

None for the purpose of this report.

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**Appendices**

Appendix 1 – Clapham and Patching C of E Primary School Consultation Analysis Summary report

Appendix 2 – Clapham and Patching C of E Primary School Community Impact Assessment report

Appendix 3 – Clapham and Patching C of E Primary School - Annex to the report

Appendix 4 – Rumboldswyke C of E Infant School Consultation Analysis Summary report

Appendix 5 - Rumboldswyke C of E Infant School Community Impact Assessment report

Appendix 6 – Rumboldswyke C of E Infant School - Annex to the report

Appendix 7 – Warninglid Primary School Consultation Analysis Summary report

Appendix 8 – Warninglid Primary School - Annex to the report

Appendix 9 – Stedham Primary School and Harting C of E Primary School meeting with Local Authority and Diocese on 16<sup>th</sup> March 2020, minutes and enhanced federation status report.

Appendix 10 – Equality Impact Assessment

**Background papers – None anticipated**