

Report to Cllr N Jupp, Cabinet Member for Learning and Skills

March 2023

Review of Primary Age Pupil Provision across Worthing and Durrington Area – Publication of Statutory Notices

Report by Mr P Wagstaff, Assistant Director of Education and Skills

Electoral divisions: Broadwater, Worthing East

Summary

Pupil projections for the Worthing and Durrington locality of schools show there is a significant surplus provision of places at primary schools in the borough. The local authority was asked by schools to lead a review across the locality due to declining pupil numbers and some uncertainty among schools on how this would impact them in the future. Therefore in November 2022 the Cabinet Member for Learning and Skills approved the launch of a public consultation on proposed solutions to reduce the number of primary school places across the area (decision [LS08 \(22/23\)](#) refers).

The consultation sought views on the proposed reduction in surplus places through a reduction in published admission numbers at certain schools and the reorganisation of provision across Chesswood Junior, Springfield Infants and Lyndhurst Infant schools. Details of the consultation process and the feedback received is set out in section 4.

Following assessment of the outcome of this consultation support was evident for proceeding with a number of proposed changes including the amalgamation of Lyndhurst Infant and Chesswood Junior schools onto one site to create an all-through primary school. It is not proposed to include Springfield Infant school as part of the proposed amalgamation, reflecting the majority of the feedback which indicated support to retain this as a standalone infant school. The Cabinet Member for Learning and Skills is now asked to approve the progression of the following proposals to reduce the number of surplus places in the Worthing and Durrington area.

Recommendations

The Cabinet Member for Learning and Skills is asked to approve:

- (1) The publication of formal statutory proposals for the closure of Lyndhurst Infant School and the significant change in character of Chesswood Junior School to allow the opening of a new all-through primary school for 60 Published Admission Number (PAN) Key Stage 1 pupils and 120 PAN Key Stage 2 pupils, together with a 21 place Special Support Centre, with effect from September 2024;
- (2) The delegation of authority to the Assistant Director (Education and Skills) to determine whether the changes set out in recommendation (1) should

proceed following consideration of any representations received during the statutory proposal period.

- (3) The plan for the phased removal of temporary accommodation from schools in the area and for officers to identify the required level of capital funding through the County Council's governance process for seeking capital funding to provide the necessary accommodation for Key Stage 1 pupils and a Specialist Support Centre on the Chesswood site;
- (4) Further engagement with Schoolworks Multi-Academy Trust to progress plans for the development of an 8 place Special Support Centre on either the Downsbrook Primary or Whytemead Primary school site.

Proposal

1 Background and context

- 1.1 Local Authorities are legally responsible for making sure there are enough places for all children to attend good schools. The need for school places can change in response to population movements and birth rate variations. Increases in demand can lead to the creation of a new school or the expansion of existing schools by adding permanent or temporary accommodation. Conversely too many surplus places can negatively impact on the financial sustainability of schools and also the ability to plan for a consistently robust curriculum progression as the organisation of schools with significant surplus provision can change frequently. Therefore this leads to the need for the removal of surplus places which can be achieved through reduced admission arrangements or the rationalisation of school provision, including changes to existing catchment areas where appropriate.
- 1.2 Any review of school provision undertaken by the County Council (e.g. the opening, closing, federating, amalgamating, expanding or contracting of schools) will, in the large part, be led by forecast pupil numbers that are set out in the [Planning School Places Report 2022](#) and will be undertaken in accordance with Department for Education guidance. In the section of Planning School Places for the Worthing Borough Council area the projections show a continuing decline in primary pupil numbers for the next few years.
- 1.3 It should be noted that not all unfilled places in a school are surplus places; some margin of capacity is necessary to allow parents to exercise a preference, given that there will be volatility in preferences from one year to the next, and to allow for differences in the size of individual cohorts. The County Council's position is that a school should be considered as full when it has less than 5% of its places unfilled. This is also a figure recognised by the Department for Education (DfE) following a 2013 [National Audit Office Report](#) on capital funding for new school places. Furthermore, each year there are an increasing number of in-year admissions (typically some 8,000) which need to be catered for and present further challenges in predicting demand and managing placements.

- 1.4 The County Council's guiding principles for primary schools which have been previously set out in the School Effectiveness Strategy 2018-22 are that, wherever possible:
- all-through primary schools (ages 4-11 years) should be established;
 - primary schools should have a minimum of one form of entry (FE), 210 places and ideally a maximum of 3FE, 630 places, although recent guidance from the Department for Education suggests new primary schools ideally be no smaller than 2FE, 420 places;
 - the pattern of schools should ensure that a primary school is readily accessible to its pupils and, in urban areas, within walking distance of the homes of the majority of its children; and
 - opportunities to create additional mainstream provision which may include Specialist Support Centres (SSCs) for pupils with special education needs (SEND) should be explored whenever the opportunity arises and local demand supports this.
- 1.5 Following a steady decline in pupil numbers over several years across the Worthing and Durrington planning area, schools approached the local authority for help in resolving the surplus provision. Officers from the Education and Skills directorate worked closely with the headteachers and chairs of governing bodies of all the primary schools and academy trusts from the area between December 2021 to autumn 2022 to explore how best to reduce surplus provision. Proposals to reduce published admission numbers (PAN) were co-designed with headteachers and chairs of governors through individual school visits. The proposals included the removal of 953 surplus places through reduction in PANs, removal of surplus temporary accommodation on a phased basis between 2024-2027 along with the reorganisation of three schools.
- 1.6 Proposals to merge Chesswood Junior, Springfield Infants and Lyndhurst Infants schools into one all through primary school were co-designed by the chairs of governors of the three schools and officers through several discussions and meetings during the summer of 2022. There was a discussion on relocating Springfield and Lyndhurst schools on to the Chesswood Junior site as the preferred solution for a single all-through primary school. However, the Chesswood site proved not to be large enough. Therefore an alternative proposal was put forward for a single school over two sites with Lyndhurst Infant closing and children relocating into the Chesswood site, and with the Springfield site remaining as a Key Stage 1 provision only, with children naturally progressing into the Key Stage 2 provision at the Chesswood site.
- 1.7 Proposals were shared with schools in the summer of 2022 and were broadly supported although concerns at that time were expressed as to whether the proposals went far enough considering that the DfE still had plans at that point to open a new primary Free School in a housing development in the area which would create an additional 420 primary places. However, the DfE have subsequently confirmed proposals to open the school have been withdrawn.
- 1.8 Plans were in place to move to a formal consultation on the proposals during the autumn 2022. However, an alternative proposal was put forward by the governors of Springfield Infant School which needed exploring further. This alternative proposal sought to retain Springfield as a standalone infant school. County Council officers agreed that this option should be included in the final consultation to gain the public's views on this alternative. In addition the DfE changed guidance over the summer relating to academy orders being issued to

schools that had two consecutive Ofsted rated Requires Improvement judgements; this directly affected two schools involved. The combination of these factors meant a need to adjust the consultation accordingly and did lead to a delay in beginning the consultation process from the timescale originally proposed.

1.9 In November 2022 the Cabinet Member for Learning and Skills approved the launch of the public consultation to seek views on the entire range of proposals (decision [LS08 \(22/23\)](#) refers).

1.10 One of the proposals was the reduction in pupil admission numbers across the following schools

- Durrington Infant School – 60 PAN (Sept 24) reduced from 90
- Durrington Junior School – 60 PAN (Sept 27) reduced from 90
- Field Place Infant School – 90 PAN (Sept 24) reduced from 120
- Thomas A Becket Infant School – 150 PAN (Sept 24) reduced from 180
- Thomas A Becket Junior School – 160 PAN (Sept 27) reduced from 192
- Whytemead Primary School – 30 PAN (Sept 24) reduced from 45

Feedback from the 697 responses to the public consultation indicated that 241 responses supported a reduction in the PAN at Field Place Infants; 256 supported the reduction at Thomas A Becket Infant School; 260 supported the reduction at Thomas A Becket Junior School; 260 supported the reduction in PAN at Whytemead Primary; and 408 supported the reduction in PAN across Durrington Infant and Junior Schools. However, whilst 408 supported the reduction in PAN at Durrington Infant and Junior Schools, 384 did not support this reduction.

As part of the Cabinet Member decision LS08 (22/23) delegated authority was given to the Assistant Director (Education and Skills), in consultation with the Cabinet Member, to determine, following an analysis of the outcomes of the public consultation, whether the reduction in PAN at the above schools should proceed and to confirm the revised numbers to meet the statutory deadline of 31st January 2023 for implementation in September 2024. Following analysis of feedback from the consultation it was clear the majority of responses supported the proposed PAN reductions. Therefore, the reductions in PAN were approved on 31st January 2023 by the Assistant Director, in consultation with the Cabinet Member. The revised plans will be reflected in the Pupil Admission booklet to be produced in advance of the admission round for 2024.

1.11 The consultation also sought views on:-

- The phased removal of temporary accommodation across a number of schools including Durrington Infant and Junior Schools.
- The creation of a new 120 PAN all-through primary school across two sites and incorporating the current Lyndhurst Infant School, Springfield Infant School and Chesswood Junior School as a single all-through primary school. As part of this option children who attended Springfield Infants would be guaranteed progression into Key Stage 2 provision on the Chesswood site;

or

- Creating a new all-through primary school on the Chesswood Junior School site incorporating a 60 PAN Key Stage 1 provision and 120 PAN Key Stage 2 provision. Lyndhurst Infant School would close and relocate on to the Key Stage 2 site. Springfield Infant school would remain a stand-alone Infant School. In this option parents would not be guaranteed progression into Key Stage 2 provision in the new all through primary on the Chesswood site; they would be required to apply for any available places that had not been filled from the new school's own Key Stage 1 provision or apply for a place at an alternative junior or primary school;
- Establishing a new 21 place Specialist Support Centre (SSC) for Social and Communication Needs for children in Key Stage 1 and 2 in the newly amalgamated primary school on the Chesswood site incorporating the current 9 places in Lyndhurst Infant School.
- The creation of an 8 place SSC on either Whytemead or Downsbrook Primary School sites for children with challenging additional educational needs.

2 Proposal details

- 2.1 On closure of the consultation a total of 697 responses had been received. Following analysis of the feedback in relation to removal of temporary accommodation, 326 were in favour of removing the temporary accommodation, 186 did not wish to have the accommodation removed and 185 had no opinion. These comments were mostly associated with accommodation at Durrington Infant and Junior Schools where the majority of temporary accommodation is sited. Therefore, it is proposed to progress with the phased removal of temporary accommodation, in accordance with the consultation outcomes, to be implemented from 2024 in liaison with the schools and the gradual reduction in pupil admission numbers.
- 2.2 With respect of responses to the proposals surrounding the three schools of Chesswood, Lyndhurst and Springfield, 112 were in favour of Chesswood becoming an all-through primary school across 2 sites and for Lyndhurst to merge with Chesswood; 507 were against the proposal of all three schools merging together and 78 had no preference. This reflected a desire for Springfield Infants to remain a stand-alone Infant School. This view was confirmed through the response to a particular question and proposal to retain Springfield as a separate Infant school, where 436 were in favour with 160 against and 101 indicating no preference.
- 2.3 Throughout the period of public consultation, it should be noted that an extensive campaign was organised to promote the wishes of the local school community of Springfield Infant School as a stand-alone infant school and not to amalgamate with Chesswood Junior & Lyndhurst Infants. However, the campaign was based on some information that was factually inaccurate. The Governing Body were made aware of this and the County Council relied on them to make parents aware.
- 2.4 The opposition to the County Council Officers' proposal to include Springfield Infant in the all-through primary proposal is not unexpected and is often the case where a school or local school community want to protect the status quo. Whilst the support to the school from the local community is applauded, there is concern that the full implications of the decision to retain Springfield Infant

School as a separate school and the fact that this will mean parents will not receive the guarantee of a key stage 2 place at the all-through primary school may not have been fully understood.

- 2.5 In response to the question in the consultation regarding the creation of a new 21 place Primary Specialist Support Centre for Social Communication Needs, on the Chesswood Road site, incorporating the 9 places currently available at Lyndhurst Infant school, 292 respondents were in support, 101 objected to the proposal and 304 had no preference.
- 2.6 Following the consultation process, whilst there is support for the amalgamation of Lyndhurst Infant School and Chesswood Junior School to merge into a new all-through primary school with a PAN of 60 at Key Stage 1 and 120 at Key Stage 2, there is not the support for Springfield Infant School to be part of this merger. Key Stage 2 capacity in the new primary school will reduce from the current 720 at Chesswood Junior to 480 Key Stage 2 places in the new all-through primary school. The number of Key Stage 1 places will reduce from the current 90 at Lyndhurst Infant School to 60 in the new primary school.
- 2.7 It is therefore proposed to progress with the amalgamation of Lyndhurst and Chesswood to become an all-through primary school across 2 sites and incorporating a new 21 place SSC. In accordance with [DfE Guidance on Making Significant Changes \('prescribed alterations'\) to Maintained Schools](#), this requires the County Council to move to the next stage in the consultation process, to issue statutory proposals that set out the proposed changes. . This consists of a 6 week period where the public can make further representations by letter or email. However, it should be noted that these representations cannot be a repeat of the evidence already provided but offers the opportunity to highlight new information to the decision maker. The following will be subject to statutory proposals:
- The closure of Lyndhurst Infant School and the significant change in character of Chesswood Junior School to allow the opening of a new all-through primary school for 60 PAN Key Stage 1 and 120 PAN Key Stage 2 pupils, together with a 21 place Special Support Centre, with effect from September 2024.
- 2.8 To enable any decisions to take effect from September 2024, it is recommended that the statutory notices run from March – April 2023, followed by a decision on the proposals to enable communication before the summer holiday. There would then follow further discussions with the schools concerned, as appropriate, to ensure parents were clear on the arrangements for September 2024 entry.
- 2.9 As part of this decision at recommendation (2) approval is sought to delegate authority to the Assistant Director (Education and Skills) to determine whether the amalgamation should proceed following consideration of any representations received during the statutory proposals period. The outcome of this process will be the subject of a key decision by the Assistant Director.
- 2.10 Capital investment will be required to redesign part of the current Chesswood Junior School to accommodate Key Stage 1 pupils to create an all-through primary provision. Therefore, proposals for this redesign will be progressed in accordance with the County Council's approved capital governance process. Revenue funding will be needed to create the necessary accommodation for the

SSC provision to cater for 21 children with Language and Communication needs in Key Stage 1 and 2.

- 2.11 The local authority has responded to the consultation outcomes and listened to the views of the community with respect to Springfield Infant School. It is therefore proposed that the current Springfield Infant School remains a separate entity. Parents will therefore be required to apply for Key Stage 2 places on transition from Year 2 to the junior schools or primary schools in the area, including the new all-through primary school on the Chesswood site. Admission will be subject to availability of places and schools' admission procedures.
- 2.12 Children in Key Stage 1 in the new all-through primary school will benefit from the site's broad sporting and outdoor facility. Due to the nature of the Springfield Infant School site, similar access to such broad facilities will remain limited. To ensure that children in Key Stage 1 at Springfield Infant School have equality of access to outdoor and sporting activities to those in local primary schools, governors will be responsible for ensuring that the appropriate curriculum and arrangements are in place at the school.
- 2.13 With respect to the proposals for an 8 place SSC on either the Whytemead or Downsbrook Primary School sites for children with challenging additional educational needs. Responses to the proposal were slightly more in favour of the Downsbrook site (145 responses) being used than the Whytemead site (111 responses) although 517 responses stated no preference on site. Therefore, it is proposed that the local authority continue to engage further with Schoolsworks Multi Academy Trust to progress plans for the development of a small specialist support centre for children with challenging additional educational needs on either one of these sites.

3 Other options considered

- 3.1 The engagement of officers with each of the schools across Worthing & Durrington allowed the exploration of other options such as reducing the published admission numbers at a greater number of schools but this was discounted as there needs to be a reasonable level of surplus places; at least 5%, to ensure opportunities for parental preference and late applications to be managed. Other options such as closing schools to remove surplus places, rather than reducing published admission numbers, were quickly discounted due to the wish to ensure provision was adequately spread across the area. The proposals progressed were uniformly supported instead of alternative proposals.

4 Consultation, engagement and advice

- 4.1 The consultation launched on the 28 November 2022; copies of the public consultation document were distributed to the following:- Members of Parliament, Local 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. Local Members of the County Council had already been offered the opportunity to attend a briefing in October 2022 on the proposed consultation.

- 4.2 All schools were notified in advance of the consultation and asked to support any families who might require additional help through language support or access to IT to enable them to complete the consultation. They were also provided with a draft letter to share with both staff and parents in advance of the consultation going live and providing guidance on how to access the online consultation process. The County Council relied on schools to distribute this information to parents and the wider community.
- 4.3 The consultation period ended on the 20 January 2023. The consultation period met the statutory timeframe and was extended from the required 6 weeks to an 8 week consultation to allow for the Christmas break.
- 4.4 Responses to the consultation were received via the online survey, the response form in the consultation booklet, by letter and by email. It should be noted that respondents to the consultation did not always provide answers to all questions and sometimes gave more than one answer to questions. There were no late responses received after the closing date. A total of 697 responses were received.
- 4.5 An online petition organised by Springfield Infants School and objecting to the proposals for Springfield Infant School to become part of one primary school across two sites was also received with 1106 signatures. As the online petition was set up by Springfield Infant School, the local authority is unable to verify addresses and names with regard to duplication, accuracy, or locality.
- 4.6 In addition to the online responses, 99 responses stating their objection to the proposals for Springfield Infant School to become part of one primary school across two sites were received by way of email and/or letter. The majority followed a standard template response. In addition 152 letters were received by post and typically followed a template written response stating their objection to the proposals for Springfield Infant School to become part of one primary school across two sites. Within these responses it was identified that some 20-25 were duplicates. Of the 99 responses received, only 2 were clear in supporting the County Council Officers' proposals to include Springfield Infants as part of a new primary schools across two sites.
- 4.7 Springfield Infant School also provided 55 pictures/letters from pupils at the school following a standard template stating their objection to the proposals for Springfield Infant School to become part of one primary school across two sites.
- 4.8 A representation by Tim Loughton, the local MP for the area within which Springfield Infant School sits, expressed support for Springfield Infants remaining as a separate school.
- 4.9 Whilst it is clear an extensive campaign was organised to present the wishes of many in the school community to retain Springfield Infant School as a separate school, it is suggested from schools that the views of other stakeholders appear to have focused only on the school they were directly involved with. The majority of schools in the area were facing no change. It therefore should be noted that most of the responses to the consultation were drawn from a minority of schools who were directly affected and not more broadly from the wider community of schools across the Worthing and Durrington area.

- 4.10 A summary of the online responses received for the schools affected by the consultation are included as appendix. The full set of responses have been discussed with the Cabinet Member.

5 Finance

5.1 Revenue consequences

- 5.2 The proposed removal of surplus provision through reduced pupil numbers will require a phased approach by schools to manage any staff reduction or changes. With natural staff turnover, it is expected that schools will ensure staff retention, wherever possible, is achieved.

- 5.3 Furthermore, the opportunity to secure agreement with governing bodies from across Worthing & Durrington to implement a 'Staffing Protocol', as in previous reorganisations, should help to reduce the need and costs of potential redundancies and enable any surplus staff arising through phased reduction in pupil numbers in some schools and the reorganisation to be considered for redeployment within the area.

- 5.4 The particular proposals for reorganisation across Lyndhurst Infant and Chesswood Junior are expected to require consideration about staff redeployment. It would be appropriate that only one headteacher would be required and a similar assumption would be made for other key staff, therefore revenue costs of potential redundancy would need to be calculated when decisions are made about the organisation of those schools. Funding for this would be provided from the Dedicated Schools Grant (DSG) redundancy budget held centrally.

- 5.5 In terms of revenue funding for the Special Support Centres (SSC), funding would be provided as follows when setting the budget:
£10,000 per place for any vacant places
£6,000 per place for any occupied place
The current top up for Lyndhurst is £7,700 per occupied place (as at 2022/23) and it is planned to be the same for the additional places at the newly amalgamated school.

- 5.6 Funding for the SSCs would be provided from the High Needs Dedicated Schools Grant. (HNDSG)

5.7 Capital consequences

	Current Year 2022/23 £m	Year 2 2023/24 £m	Year 3 2024/25 £m	Year 4 2025/26 £m
Capital budget		1	1.2	0.88

Name of School	Works required	Estimated Capital Costs*
Durrington Infant	Phased removal of surplus hatted classrooms	£900,000
Durrington Junior	Phased removal of surplus hatted classrooms	
Downsbrook Academy* * Site to be agreed between Whytemead or Downsbrook	Internal remodelling to create a 8 place SSC facility in existing accommodation (NB. Subject to further agreement with the MAT)	£680,000
Lyndhurst Infant	No capital works expected. Potential for a capital receipt	N/A
Chesswood Junior	Refurbishment of surplus junior accommodation to provide infant (KS1) accommodation	£1.5m

***Capital costs subject to feasibility studies**

5.8 The effect of the proposal:

(a) **How the cost represents good value**

Capital investment to create all-through primary provision on one site with access to a greater range of educational provision ensures pupils and staff can benefit from a more targeted investment of public funds.

(b) **Future savings/efficiencies being delivered**

The reduced Published Admission Numbers will enable more schools to organise staffing and resources more effectively within the finances they receive based on pupil numbers. The phased removal of temporary classroom units will reduce the level of ongoing maintenance and capital investment needed by both schools and the County Council to keep the accommodation useable.

(c) **Human Resources, IT and Assets Impact**

1.1HR Issues - A new Governing board for the new all-through primary school will be established if the proposal goes forward. They would be responsible for designing a new structure and understanding the workforce changes that may be required. There is the potential for some duplication of roles as a result of consolidation into one school. Such changes could lead to some risk of redundancy. However, collaboratively the aim is to ensure that changes that affect staff are managed fairly and sensitively and full consultation with trade unions takes place. All governing boards in the wider area will be asked to adopt our "Protocol for Managing School Reorganisations in West Sussex". This is designed to ensure both the

efficient management of change for all staff, whilst maintaining a high-quality education for the pupils, and for setting out the procedures to be followed in order to support the redeployment of staff wherever possible. The Protocol has been previously developed following consultation with teacher associations and UNISON and has been used successfully in many other school reorganisations within the County. We will ensure that the appropriate support and guidance is available to all staff throughout the reorganisation process.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Insufficient Capital to implement changes under consideration	Most of the capital works can be phased over time e.g. hut removals. Some capital receipts may be achieved. All capital proposals will require separate business case submission and consideration against priorities and value for money
If Springfield Infants School remains a separate entity as proposed, parents/carers will need to apply, in accordance with the published admissions policy, for places at Year 3 entry. There may not be sufficient places remaining which could mean some pupils will need to be placed at other schools rather than all transferring together which would be the case if the 3 schools were combined.	The governing body of Springfield Infants has been made aware of this risk. They recognise that there may be a risk but they feel it is likely to be small, if at all, and once the new school only admits 60 pupils at Year R, a further 60 places should be available at Year 3 entry for all the Springfield pupils. This situation will need to be closely monitored but all Springfield pupils will be offered a Year 3 place at a school in the area.

7 Policy alignment and compliance

7.1 Our Council Plan

Investment in educational provision to ensure children and young people achieve their potential and get the best start in life is a key strand of the [Council's plan](#) for its residents.

7.2 Legal Implications

No significant implications.

7.3 Equality Duty and Human Rights Assessment

There are positive implications of the proposed changes with respect of supporting more local SEND and Alternative Provision to meet the needs of some pupils within their community which currently are not being met.

The consideration of the equality duty was applied both to the process of undertaking the consultation and the analysis of feedback to ensure that due consideration was given to the needs of persons with protected characteristics and the requirements of the public sector equality duty.

7.4 Climate Change

The contribution of some changes including the phased removal of some temporary accommodation will support the Council's policy on carbon reduction. Any capital investment in education provision will be made in consideration of how to best meet the [Council's Climate Change Strategy](#) and will meet current building control requirements as part of the planning process.

7.5 Crime and Disorder

No significant implications.

7.6 Public Health

No significant implications. Opportunities for children to walk or cycle to local school provision will be encouraged.

7.7 Social Value

The social value of the changes and their impact on local communities forms part of the consideration of proposals in light of the outcome of the consultation.

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Appendix - Table of responses received to the online consultation.

Background papers - None