

# Children's Services Committee

Item No.....

<b>Report title:</b>	<b>School Organisation in Winterton and Hemsby</b>
<b>Date of meeting:</b>	<b>10 July 2018</b>
<b>Responsible Chief Officer:</b>	<b>Sara Tough, Executive Director of Children's Services</b>
<b>Strategic impact</b> The County Council has a number of powers in relation to the organisation of schools in the County. It exercises those powers, often in partnership, to make organisation changes to a school or to schools in a local area. The purpose is always to ensure that there is a positive impact on the long-term sufficiency and sustainability of education places and an efficient use of capital funding.  A sustainable and well-organised school system contributes to Norfolk's overall strategy for 'Excellence for All' and a stronger local educational landscape.	

## Executive summary

The purpose of this report is to provide information about a proposal for school organisation change for Winterton and Hemsby which is currently in the public domain. The proposal is to close Winterton Primary School, Winterton on Sea, Norfolk and extend the catchment area of Hemsby Primary School, Hemsby, Norfolk, with effect from 31<sup>st</sup> December 2018.

This report also outlines the powers of the County Council, the consultation process and how decisions are made following consultation. The County Council's agreed process does not provide for the Committee itself to decide whether to move to the next stage following consultation i.e. to the publication of a Public Notice to express the intention of making a change. The decision is for the Executive Director of Children's Services in the light of consultation returns, but where a school closure is possibly involved, such as in the case of Winterton, Committee is always asked to offer comments at the consultation stage.

### Recommendations:

**The Committee is asked to;**

- **note the Council's powers in respect of school organisation**
- **note the current public consultation for Winterton and Hemsby**
- **make any comments on the proposal for Winterton and Hemsby, to inform the Director's decision on whether to proceed to Statutory Notice after the end of the consultation period.**

## 1. PROPOSAL AND EVIDENCE

### School organisation proposal for Winterton and Hemsby

- 1.1 The proposal is to close Winterton Primary & Nursery School (Foundation), with effect from 31<sup>st</sup> December 2018 and to extend the catchment area of Hemsby Primary School (Community), to accommodate the change.

Winterton Primary school is a primary school taking pupils from the age of 3 years to 11 years and is designated as a rural school by the Department for Education, 2017.

- 1.2 The consultation on the proposed closure of Winterton Primary School was brought forward as a request from the Interim Executive Board of the school on 16th May 2018. The Board reluctantly requested the Council to consult on closure of the school as;
- A route for the school has been rigorously explored by the Local Authority and the Department for Education, involving discussions with a number of Multi Academy Trusts and local schools. However, no practical outcome has been secured.
  - The numbers of pupils at the school will not provide sufficient funding for the school to unilaterally provide a sustainable and acceptable level of education for the pupils.
- 1.3 The proposal to close Winterton Primary School is based on;
- A lack of sustainable governance model, including no viable Multi-Academy Trust solution
  - A lack of sustainable leadership
  - An unsustainable budget, due to the pupil numbers at the school.
- Therefore it is difficult to deliver and sustain quality education for children now and in the future.

### **Evidence and key elements for the case for change**

- 1.4. There are a number of aspects that the County Council as the Decision Maker must take into account when considering the organisation of schools to ensure it is in the best interest of children's education and achievement. These include school leadership, performance, impact on the community, diversity of provision, need for places, travel, early years provision and special education provision.
- 1.5 Since November 2016, options of Federation with other schools or joining a Multi-Academy Trust have been explored. Intervention support has been provided to the school since 2017. However, it has not been possible to secure any long term governance solution, to take Winterton forward. This also means that a sustainable shared leadership arrangement could not be found.
- 1.6 The school has been unable to secure sustainable leadership arrangements, which will ensure high standards of education for children. Since the headteacher left the school in December 2016, there have been a number of interim arrangements to support the school leadership, but a permanent solution has not been possible. The inconsistencies in senior leadership and governance were recognised by Ofsted which judged the school as Requires Improvement in January 2018 in all areas; leadership and management, quality of teaching, outcomes for pupils and early years provision. As a shared leadership solution has not been secured, Winterton would need to employ a Headteacher with a teaching commitment. It is recognised that recruiting a teaching headteacher can be difficult to achieve. The lack of sustainable leadership means the school is at risk.
- 1.7 Pupil numbers determine the majority of the school budget. All schools receive a lump sum as part of their annual funding budget from the Department for Education, which is added to, with remaining funding based on the number of pupils on roll. As there has not been any success in finding an Academy Sponsor, the school budget now needs to include the costs of a Headteacher, with teaching commitment. The school is projecting deficits of £16,979 in 2019/20 and £72,370 in 2020/21. In order to address this deficit, there will be a need to reduce staff costs, resulting in a move to only two classes in the school

and the closure of the Nursery. The move to two classes compromises any further attempts the school might need to make to deliver an acceptable quality of education. There appears to be no reasonable prospect to recovery of the budget, without a detrimental impact on the education of the children.

- 1.8 The proposal to close Winterton Primary School has an impact on the catchment area for children from the Winterton area. Norfolk County Council is proposing to extend the Hemsby catchment area to include Winterton. Hemsby Primary School is a community school, for children aged 4 – 11 years. The capacity of the school is 210 places, however the numbers of pupils on roll as at January 2018 is 174 places.
- 1.9 The assessment of primary phase places at schools in the local area, shows there are 150 places per year group. Taking into account any change of school for Winterton children, should the school close, there are plenty of spaces available. Unfortunately Hemsby Primary School, is currently not able to take all the Winterton children, particularly in the current Year 3 as it is full. However several children who currently attend Winterton Primary School come from outside of the school's catchment area.
- 1.10 School transport will be considered for children who are affected by school organisation changes, such as school closure, at the time of the school organisation change is made.
- 1.11 Future use of existing building: The Norwich Diocese Board of Finance lease the original school buildings to the Governing Board. The playing field is owned by the School Governing Board. The existence of an Interim Executive Board does not affect these arrangements. If the proposal for closure is agreed, negotiations will need to take place on the ownership of the building and associated land.
- 1.12 The consultation period opened on 12<sup>th</sup> June 2017 and closes on 24<sup>th</sup> July 2018. All statutory consultees, as required by the Department of Education guidance, have been sent the consultation document. The consultation period meets the six week requirement.
- 1.13 Two consultation events have been arranged for 16<sup>th</sup> June and 26<sup>th</sup> June for parents and the local community. There will be an update for Councillors on the issues arising from these events, at the Children's Services Committee meeting.

## **2. BACKGROUND**

### **School organisation and statutory processes – the County Council's role**

- 2.1 The County Council has a statutory duty;
  - to ensure there are sufficient places in its area for children of school age
  - to promote high educational standards, diversity and parental choice
  - to ensure fair access to educational opportunity
  - to help fulfil every child's educational potential.
- 2.2 School organisation powers for Local Authority maintained schools are available to the County Council, and in some cases Voluntary School Governing Bodies, to propose and effect organisational changes which provide greater strength to the local provision of Good school places.

- 2.3 Statutory guidance allows local authorities to determine their own procedures within the statutory framework. At its meeting on 10<sup>th</sup> July 2014, Children's Services Committee agreed the process for fulfilling the County Council's role and in particular to give the Executive Director of Children's Services the role of Decision Maker.
- 2.4 The DfE guidance on 'Opening and Closing maintained schools', April 2016 sets out the school organisation process as:
- Stage 1 is the informal/pre-consultation stage, to consider options for possible re-organisation. This is not the statutory consultation.
  - Stage 2 is the publication of the statutory Public Notice and proposal,
  - Stage 3 is the formal consultation. It must be a 4 week formal statutory consultation. It is at this stage that the statutory consultation proposal must set out plans for any school closure.
  - Stage 4 is the decision, made by the Local Authority Decision-Maker, and should be made within 2 months of the closing date of the Public Notice.
  - Stage 5 is the implementation stage.
- 2.5 Proposals can be withdrawn after each of the stages, meaning effectively that the status quo always exists as an option, even if it is not explicit in the consultation material published.
- 2.6 At the end of the Notice period Norfolk County Council's processes provide for final determination to be made by the Executive Director of Children's Services, in consultation with the Chair and Vice Chair of the Children's Services Committee. In reaching a decision, the Executive Director must have regard to the statutory 'Decision-maker's Guidance'. In considering a change in school organisation attention must in particular be paid to;
- the likely effect of closure of the school on the local community
  - the educational standards at the school and the likely effect on standards at neighbouring schools
  - the availability and likely cost to the Local Authority of transport to other schools
  - any increase in the use of motor vehicles and the likely effects of any such increase
  - any alternatives to the closure of the school.
- 2.7 There is also the 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 must be clearly in the best interests of educational provision in the area.

### **3. Financial Implications**

- 3.1 There are no financial implications to the County Council arising from this proposal.

### **4. Issues, risks and innovation**

- 4.1 There are no matters to be considered in these respects in this report.

### **5. Background**

- 5.1 Opening and Closing of maintained schools, April 2016 DfE statutory guidance for proposers and decisions makers.
- 5.2 Consultation document link: <https://norfolk.citizenspace.com/childrens-services/winterton-and-hemsby>

### **Officer Contact**

If you have any questions about matters contained or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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