

Committee:	<b>Lead Member for Learning and School Effectiveness</b>
Date:	<b>9 December 2013</b>
By:	<b>Interim Director of Children's Services</b>
Title of the report:	<b>Proposed closure of Mountfield and Whatlington CE Primary School</b>
Purpose of Report:	<b>To seek Lead Member approval to publish statutory notices in respect of a proposal to close Mountfield and Whatlington CE Primary School.</b>

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**Recommendation:**
**Lead Member is recommended to:**

- (1) Authorise the publication of statutory notices in respect of a proposal to close Mountfield and Whatlington CE Primary School by 31 August 2014; and**
  - (2) Delegate authority to the Interim Director of Children's Services to amend the proposals prior to their publication if required.**
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**1. Financial Appraisal:**

1.1 **Revenue:** It is possible that there will be revenue costs associated with redundancy payments to staff at the school. Upon closure of Mountfield and Whatlington, the school's balance of resources (be that a surplus or deficit) would transfer back to the County Council. It would be for the Council to decide how any balance would be managed.

1.2 **Capital:** It is unlikely that any capital costs would be incurred by the Council as a result of this proposal. The original land and buildings were donated and are held in Trust by the Church of England Diocese of Chichester and the local church. It will be for the Trustees to decide what will happen to the land and buildings once a decision about the future of the school has been taken.

**2. Supporting Information**

2.1 On 8 July 2013 the Lead Member for Learning and School Effectiveness gave approval for the Council to consult on a proposal to close Mountfield and Whatlington CE Primary School on the basis of its concerns about the long term sustainability of the school with regard to standards, pupil numbers and declining popularity. The Diocese of Chichester shares our concerns and agreed that we should consult on closure of the school.

2.2 As a result, the Council undertook a period of public consultation between 13 September and 25 October 2013 on a proposal to close Mountfield and Whatlington CE Primary School by 31 August 2014. This report details the responses received during the period of public consultation and seeks approval from the Lead Member for Learning and School Effectiveness to publish statutory notices.

2.3 Proposed changes to the organisation of schools have to follow a prescribed process established by the Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment) (England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance (Amendment) (England) Regulations 2009 which came into force on 1 September 2009). This process complied with these requirements.

2.4 Public consultation took place over a 6 week period between 13 September and 25 October 2013. Approximately 800 consultation documents were distributed to interested parties in accordance with The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 (as amended). The full distribution list can be found as part of **Appendix A** to this report. The consultation document was also made available on the County Council's website.

2.5 By the close of the consultation period, 65 replies had been received. This equates to a response rate of 8.1% (65 out of 800). Of the 65 responses received:

- 6 (9.2%) support the proposal
- 56 (86.2%) do not support the proposal

- 3 (4.6%) gave no answer

2.6 The largest contingent of respondents were members of the local community, followed by people who classified themselves as 'other' (e.g. county councillors, district councillors, parish councils). The breakdown of respondents is as follows:

- 7 (10.8%) were parents/carers of a child/ren at the school
- 2 (3.1%) were members of staff at the school
- 30 (46.2%) were members of the local community
- 22 (33.8%) were classed as 'other'
- 4 (6.2%) chose not to answer

2.7 The main objections relate to the loss of the school as a community facility; concern about where children from the planned new housing developments will go to school; the money spent in recent years on refurbishing the school and whether enough was done to support the school to improve, including the inability to appoint a new headteacher. Some argue that if the school is to close it should only be a temporary measure until such time as the places are required by children from the new housing. Those who responded in support of the proposal felt that the school should close because they believe it is uneconomical and unable to fulfil its obligations to provide an appropriate education; its location and popularity are drawbacks; there are better schools locally and that the school has been failing for a number of years.

2.8 **Appendix A** provides detailed analysis of the consultation process and responses received.

2.9 Despite the concerns raised by respondents during the consultation, the Council believes that closure of Mountfield and Whatlington CE Primary School is appropriate on the basis of its long term sustainability in terms standards, pupil numbers and popularity. In addition, Rother District Council's 2011 Submission Core Strategy and the 2013 Schedule of Main Modifications do not include any proposed housing site allocations directly in the Mountfield and Whatlington Area. The new housing is planned for the surrounding parishes where other schools are considered better placed to accommodate any growth in pupil numbers. The Council believes that all children displaced by the closure of Mountfield and Whatlington CE Primary School could be accommodated at other local schools without the immediate need to provide additional places. Currently the school has only four children on roll.

2.10 The next stage of the process is to publish statutory notices. The publication of notices would trigger a further 6 week period of consultation, known as the representation period, when people can again have their say on the proposal. Within two months of the end of the representation period, the Cabinet must determine the proposal taking into account the views of all those affected by the proposal or who have an interest in it. It is envisaged that a final decision would be made at the Cabinet meeting in March 2014.

### **3. Conclusion and reason for recommendation:**

3.1 The majority of people who responded to the consultation do not agree with the proposal to close Mountfield and Whatlington CE Primary School. However, the Council believes that the long term sustainability of the school is of real concern. Other schools in the wider local area are better placed to accommodate any growth in pupil numbers in the medium to long term as a result of planned new housing and all of these schools were rated 'good' at their previous Ofsted inspections. For these reasons, the Lead Member for Learning and School Effectiveness is recommended to:

- Authorise the publication of statutory notices in respect of a proposal to close Mountfield and Whatlington CE Primary School by 31 August 2014; and
- Delegate authority to the Interim Director of Children's Services to amend the proposals prior to their publication if required.

GED ROWNEY

Interim Director of Children's Services

Contact Officer: Fiona Wright, Assistant Director (Schools, Youth and Inclusion Support)

Local Members: Councillor Kathryn Field

Background Documents: None

### **Appendices:**

Appendix A – analysis of consultation responses

## ANALYSIS OF CONSULTATION RESPONSES

### 1. Background:

- 1.1 East Sussex County Council undertook a consultation between 13<sup>th</sup> September and 25<sup>th</sup> October 2013 on a proposal to close Mountfield and Whatlington CE Primary School.
- 1.2 If approved, the school would close by 31<sup>st</sup> August 2014.

### 2. Purpose of report:

- 2.1 This report is in two parts:
- Part 1: the consultation process
  - Part 2: analysis of consultation responses

### 3. Part 1: the consultation process:

- 3.1 Approximately eight hundred (800) consultation documents were distributed in accordance with the Education and Inspections Act 2006 and The School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007 (as amended). Consultees included for example: pupils; parents and carers; staff; other schools in the local area; the local MP; the District Council; diocesan bodies and local early years providers. The full distribution list is provided in Table 1 below. The consultation document explained the proposal and provided a range of means to respond. These included; by freepost reply, online questionnaire or by emailing East Sussex County Council. The consultation document was also made available on the County Council's website.

Table 1: Consultation distribution list

Organisation	No. of copies
Mountfield and Whatlington CE Primary School – pupils and parents/carers	45
Mountfield and Whatlington CE Primary School – staff	15
Mountfield and Whatlington CE Primary School – Interim Executive Board	7
Mountfield and Whatlington CE Primary School – spares for main reception	60
Local primary schools	15 copies each
Local secondary schools	15 copies each
ESCC Councillors	50
ESCC Chief Officers Management Team	6
ESCC Children's Services Senior Management Team	5
ESCC contractors (e.g. catering, cleaning etc)	1 copy each
Greg Barker MP	5
Department for Education	1
Rother District Council	38
Mountfield Parish Council	8
Whatlington Parish Council	6
Kent County Council	1
Diocese of Chichester (Church of England)	5
Diocese of Arundel and Brighton (Catholic)	5
Martins Oak Surgery	30
Oldwood Surgery	30
Sussex Voluntary and Community Learning Consortium	10
Battle Library	30
Battle Children's Centre	30
Vinehall School (Nursery)	30
Robertsbridge Children's Services	30
Staplecross Pre-School Playgroup	30

Sedlescombe Pre-School	30
Netherfield Pre-School	30
Caterpillar Pre-School	30
Battle Pre-School Playgroup	30
St Mary's Nursery	30
Claverham Day Nursery	30
The Learning Lodge for Little Explorers	30
Trade Unions (e.g. Association of Teachers & Lecturers / NASUWT / NAHT / NUT / Voice of the Union of Education Professionals / GMB / UNISON)	1 copy each
<b>Total</b>	<b>800</b>

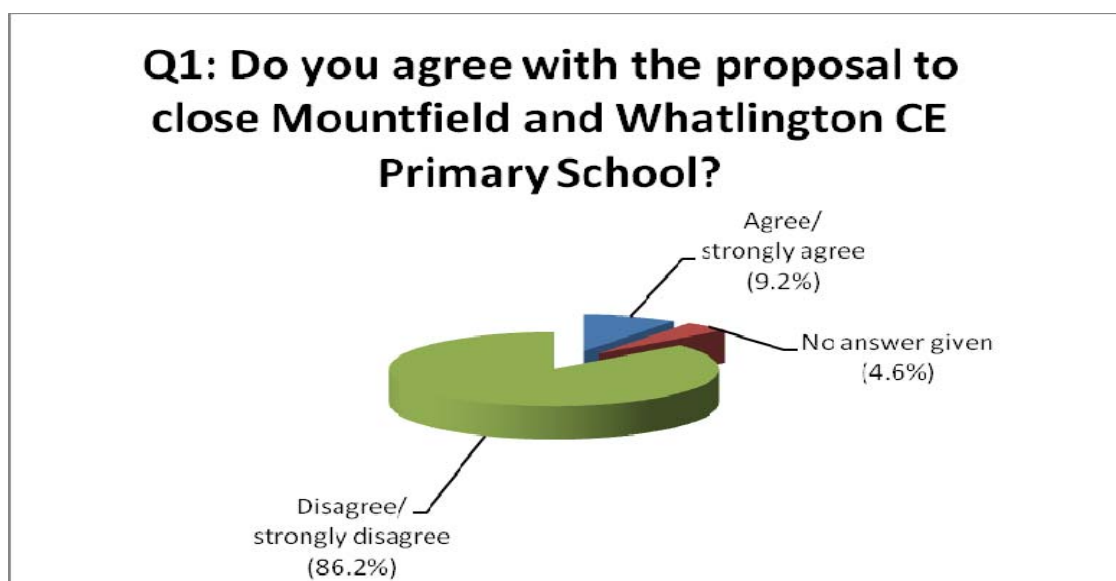
3.2 The consultation period ran from Friday 13<sup>th</sup> September to Friday 25<sup>th</sup> October 2013.

#### 4. Part 2: analysis of consultation responses:

4.1 Question 1 on the response form asked people to indicate whether they agreed with the proposal to close Mountfield and Whatlington CE Primary School. 65 people responded to this question, which equates to a response rate of 8.1% (65 out of 800). From the 65 responses:

- 6 (9.2%) support the proposal
- 56 (86.2%) do not support the proposal
- 3 (4.6%) gave no answer

4.2 The chart below illustrates the breakdown of responses.



4.3 Question 2 asked people to give reasons for their answers to question 1. The main areas of concern were:

- Loss of the school as a community facility
- Concern about where children from the planned new housing developments will go to school
- The money spent in recent years on refurbishing the school
- Was enough done to support the school to improve, including the inability to appoint a new headteacher
- If the school is to close it should only be a temporary measure until such time as the places are required by children from the new housing.

4.4 Others agreed that the school should close because:

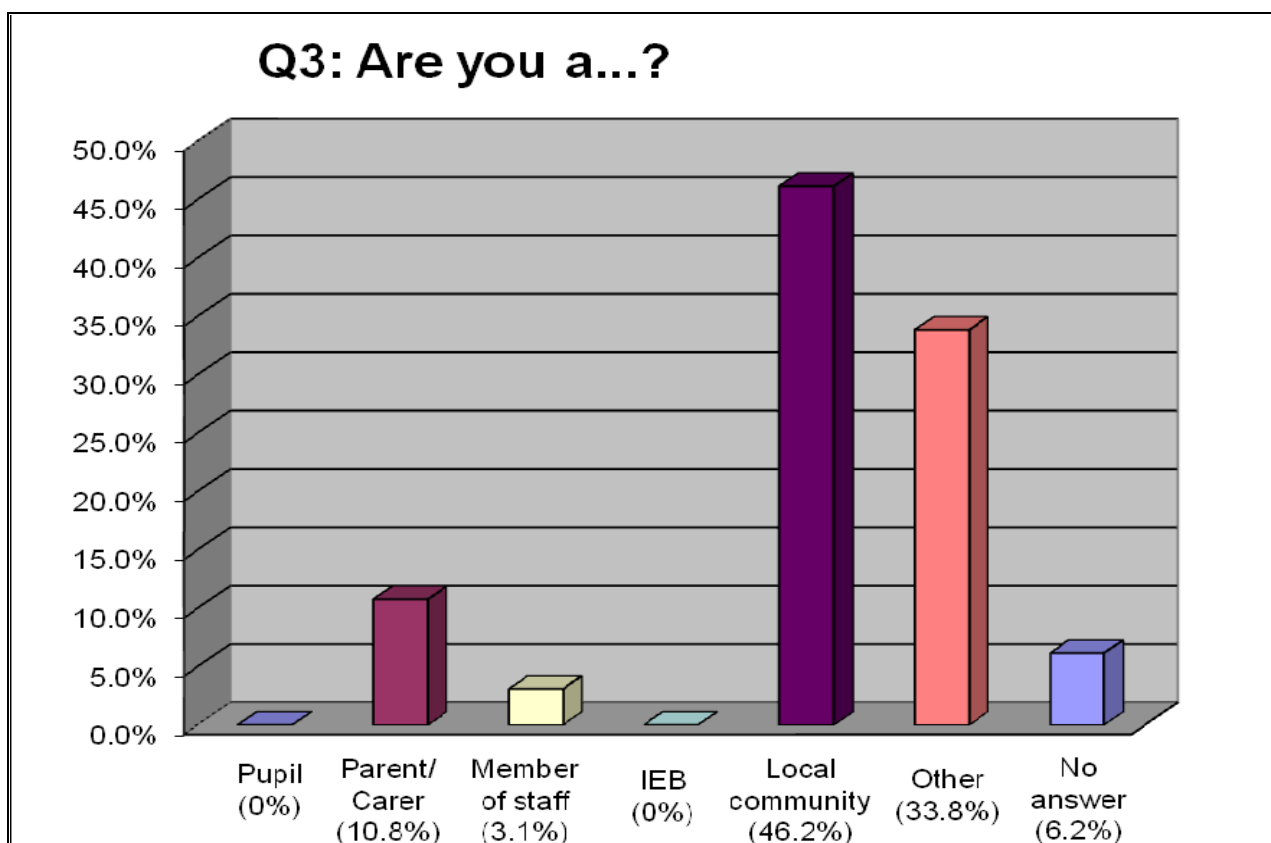
- They feel it is uneconomical and unable to fulfil its obligations to provide an appropriate education
- Its location and popularity are drawbacks
- There are better schools locally
- The school has been failing for a number of years

4.5 A full list of consultation responses is available for inspection on request.

4.6 Question 3 asked respondents to classify themselves:

- 7 (10.8%) were parents/carers of a child/ren at Mountfield and Whatlington
- 2 (3.1%) were members of staff at Mountfield and Whatlington
- 30 (46.2%) were members of the local community
- 22 (33.8%) were classed as 'other'
- 4 (6.2%) chose not to answer

4.7 The chart below illustrates the breakdown:

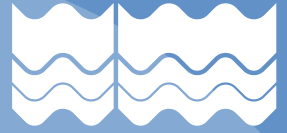


4.8 Of the seven parents and carers who responded, none support the proposal. All seven (100%) strongly disagree.

4.9 Of the two members of staff who responded, both (100%) strongly disagree with the proposal.

4.10 30 members of the local community replied to the consultation. Two (6.7%) support the proposal while 28 (93.3%) do not.

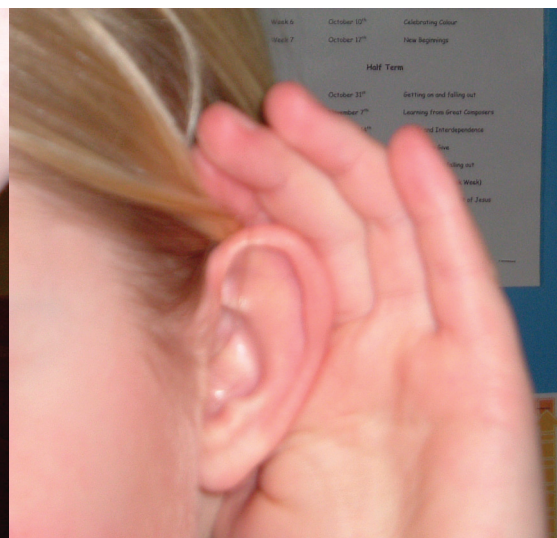
- 4.11 22 respondents classed themselves as 'other'. These included county councillors, Mountfield and Whatlington Parish Councils, district councillors and the Diocese of Chichester. In total four (18.2%) support the proposal while 17 (72.7%) do not. Two (9.1%) did not answer Question 1 but provided detailed comments.
- 4.12 Of the two county councillors who responded, one supports the proposal while the other does not. Neither Parish Council supports the proposal. The Diocese of Chichester agrees with the case for closure.
- 4.13 'About you' questions. We collect this information to ensure that we are seeking the views of everyone in our community and to demonstrate that we are complying with relevant diversity and equalities legislation. The responses to the 'About you' questions are available for inspection.
- 4.14 At the time of writing we had received four late consultation responses, none of which were taken into account in the analysis above.
- 4.15 A copy of the consultation document is provided in **Annex 1**.



August 2013

# Have your say on a proposal to close Mountfield and Whatlington CE Primary School

The consultation runs from 13 September to 25 October 2013.



## **What is the proposal?**

The proposal is to close Mountfield and Whatlington CE Primary School by 31 August 2014.

It is important to note that all pupils attending Mountfield and Whatlington CE Primary School at the time of closure would be offered a place at an alternative school.

This consultation document is for pupils, parents and carers, staff, the local community and other interested parties. East Sussex County Council will consider all the views put forward before a decision is taken by the Lead Members for Children's Services on whether to continue with the proposal to close the school. We welcome your views on this proposal.

## **What is the background to this proposal?**

In April 2012 Mountfield and Whatlington CE Primary School was inspected by Ofsted and was judged to be 'inadequate' and went into Special Measures. The school is currently under the governance of an Interim Executive Board (IEB) and the Headteacher from Netherfield CE Primary School is acting as Executive Headteacher until the end of September 2013, when new leadership arrangements will be put in place.

Following the inspection in April 2012, results for the 2011/12 academic year showed that attainment at the end of all key stages was below the Local Authority and national averages. The unvalidated results for the 2012/13 academic year show a good increase in attainment at the end of all key stages and the Council recognises the hard work and professionalism of staff at the school which has led to this improvement. However, the improvement is also a result of the significant additional support which the school has received over the last year and this level of support is not sustainable in the longer term.

In general, pupil numbers at the school have been in decline since 2002/03. In January 2013 there were only 54 children attending the school against a capacity of 84. Only 26% of these children lived in the Mountfield and Whatlington community area with the remainder coming from either Hastings, Battle or other local towns and villages. In January 2013 there were 50 children of primary school age living in the Mountfield and Whatlington community area, of which only 14 attended the school. The remaining 36 children had chosen to attend other schools in the local area.

At the time of this document going to print only 2 children had accepted a place at Mountfield and Whatlington CE Primary School in reception year for September 2013, neither of whom lives in the Mountfield and Whatlington community area. It is anticipated that there will be 35 children on roll at the start of the 2013/14 academic year, although this number could be lower as applications are being received by the Council's Admissions Team from parents wishing to transfer their children to other schools.

The school is also facing a number of challenges in relation to its budget. It is predicted that the budget for the financial year 2014/15 will be in deficit. If pupil numbers continue to decrease the budget situation in future years will be even more challenging. The new national funding formula which was introduced in April 2013 has a detrimental effect on smaller schools and removes some of the protections previously given to small schools. The Council has provided significant financial support to the school over the last two years but is not in a position to continue to provide this support in future years.

## **What is the rationale for closure?**

The Council has a duty to ensure that all children have access to good education and is committed to securing the best possible outcomes for all pupils. It is concerned about the long term sustainability of Mountfield and Whatlington CE Primary School on the grounds of its capacity to sustain improvements in standards in the context of declining popularity and financial viability.

The Diocese of Chichester shares these concerns and has agreed that the Council should consult with key stakeholders about the proposed closure of the school.

## **How would this proposal affect children?**

All children attending Mountfield and Whatlington CE Primary School would be offered alternative school places; at the time of writing there were sufficient places available at surrounding schools to accommodate all the children currently at Mountfield and Whatlington CE Primary School.

Parents would be invited to complete an admissions application form and to name up to three schools they would like their child/ren to attend. Parents would be offered a school place for their child, either at one of the parent's preferred schools named on the application form, or if this is not possible, at the nearest school to the child's home where a place is available. The Council will try to meet parents' preferences wherever



possible but cannot guarantee to do so. The allocation of places will be made in line with the admissions policy as set out in the school admissions booklet which is available on the East Sussex website at <http://www.eastsussex.gov.uk/educationandlearning/schools/findingaschool/> or a hard copy can be sent to you on request.

Free transport would be provided for eligible pupils, i.e. provided they meet the criteria. The criteria can be found on page 19 in the current school admissions booklet which is available as detailed above.

### **What would this proposal mean for staff?**

If a decision is taken to close Mountfield and Whatlington CE Primary School, formal consultation would begin with staff employed to work at the school and their trade union colleagues. The Council would work alongside the IEB to ensure that all of the procedures for managing the change process, outlined in the Council's Managing Change Policy were followed. Staff would be entitled to be considered for redeployment to a suitable alternative post. The Council would work with staff to identify suitable posts for redeployment in other schools, as well as any appropriate posts available at the time in the Council. In order to retain key skills, knowledge and experience of staff at the school, and for continued employee stability, the Council would seek to avoid compulsory redundancies.

### **Who makes the final decision and when?**

The Council is the decision maker for this proposal. This is not a referendum, but all of the views expressed during the consultation period, together with other sources of information, will be used to inform the decision.

Following consideration of the consultation responses the Council could choose to:

- stop the process - in this case the school would not close;
- change the proposal - in this case the next steps would depend on what the proposed changes are; or
- continue with the proposal – in this case a Statutory Notice for closure of the school would be published in the local paper, probably in December 2013, which would be followed by a further six week period of consultation (known as the representation period).

The Council has a duty to make a final decision on the proposal within two months of the end of the representation period. In this instance, a decision would probably be taken in February 2014.

### **Who is being consulted?**

The Council is consulting with pupils, parents and carers, staff, other local schools and trade unions. It is also consulting with a wide range of other groups including the District Council, the local MP, the Church of England and Catholic dioceses and the wider local community.

### **How do I have my say?**

This consultation runs until **25 October 2013**.

You can give your views by:

- completing the attached questionnaire and returning it in the envelope provided
- completing the online questionnaire at: [www.eastsussex.gov.uk/yourcouncil/haveyoursay](http://www.eastsussex.gov.uk/yourcouncil/haveyoursay)
- emailing the County Council at [school.consultations@eastsussex.gov.uk](mailto:school.consultations@eastsussex.gov.uk)
- attending the public meeting at Mountfield and Whatlington C E Primary School on Tuesday 24 September 2013 between 6pm and 7.30pm.

## Consultation – Response Form

The proposal is to close Mountfield and Whatlington CE Primary School by 31 August 2014.

East Sussex County Council would welcome your views on the proposal. Please complete this response form and return it to the address at the bottom of the page no later than 25 October 2013.

**Q1. Do you agree with the proposal to close Mountfield and Whatlington CE Primary School?**

- Strongly agree
- Agree
- Neither agree or disagree
- Disagree
- Strongly disagree

**Q2. If you wish, you can give your main reasons for your answers to Q1 above, and/or any other options you think the Council should consider:**

**Q3. Are you a...?**

- Pupil at Mountfield and Whatlington CE Primary School
- Parent/carer of a child at Mountfield and Whatlington CE Primary School
- Member of staff at Mountfield and Whatlington CE Primary School
- Member of the interim Executive Board at Mountfield and Whatlington CE Primary School
- Member of the local community
- Other (please say) \_\_\_\_\_

Once completed, please tear off this page along the perforation, fold and return it in the window envelope provided by **25 October 2013** to the address below.

Please ensure that the address is clearly visible in the window of the envelope.

**You don't need a stamp.**

**Primary School Consultation (Mountfield and Whatlington)  
FREEPOST BR157  
East Sussex County Council  
County Hall  
St Anne's Crescent  
Lewes BN7 1SF**

**About you...** We want to make sure that everyone is treated fairly and equally and that no one gets left out. That's why we ask you these questions. We won't share the information you give us with anyone else. We will only use it to help us make decisions and make our services better.

If you would rather not answer any of these questions, you don't have to.

**Q4. Are you.....?**  Male  Female  Prefer not to say

**Q5. How old are you?**  **Q6. What is your postcode?**

**Q7. To which of these ethnic groups do you feel you belong ?** (Source 2011 census)

White	Mixed	Asian or Asian British	Black or Black British
<input type="checkbox"/> British	<input type="checkbox"/> White & Black Caribbean	<input type="checkbox"/> Indian	<input type="checkbox"/> Caribbean
<input type="checkbox"/> Irish	<input type="checkbox"/> White & Black African	<input type="checkbox"/> Pakistani	<input type="checkbox"/> African
<input type="checkbox"/> Gypsy/Roma	<input type="checkbox"/> White & Asian	<input type="checkbox"/> Bangladeshi	<input type="checkbox"/> Other*
<input type="checkbox"/> Irish Traveller	<input type="checkbox"/> Other*	<input type="checkbox"/> Other*	
<input type="checkbox"/> Other*	<input type="checkbox"/> Arab	<input type="checkbox"/> Chinese	<input type="checkbox"/> Prefer not to say

**\*Other Ethnic Group** If your ethnic group was not specified in the list please describe your ethnic group:

The Equality Act 2010 describes a person as disabled if they have a longstanding physical or mental condition that has lasted or is likely to last at least 12 months; and this condition has a substantial adverse effect on their ability to carry out normal day to day activities. People with some conditions (cancer, multiple sclerosis and HIV/AIDS, for example) are considered to be disabled from the point that they are diagnosed.

**Q8. Do you consider yourself to be disabled as set out in the Equality Act 2010?**

Yes  No  Prefer not to say

**Q9. If you answered yes to Q8, please tell us the type of impairment that applies to you.**

You may have more than one type of impairment, so please select all that apply. If none of these apply to you please select other and write in the type of impairment you have.

- Physical impairment
- Sensory impairment (hearing and sight)
- Long standing illness or health condition, such as cancer, HIV, heart disease, diabetes or epilepsy
- Other, please specify
- Mental health condition
- Learning disability
- Prefer not to say

**Q10. Do you regard yourself as belonging to any particular religion or belief?**

Yes  No  Prefer not to say

**Q11. If you answered yes to Q10 which one?**

- Christian
- Hindu
- Muslim
- Any other religion, please specify
- Buddhist
- Jewish
- Sikh

**Thank you for providing this information, your feedback is important to us.**

