



**LEAD MEMBER FOR EDUCATION AND INCLUSION, SPECIAL EDUCATIONAL  
NEEDS AND DISABILITY**

MONDAY, 23 DECEMBER 2019

10.00 AM, COUNCIL CHAMBER - COUNTY HALL, LEWES

**DECISIONS** to be made by the Lead Member for Education and Inclusion, Special Educational Needs and Disability, Councillor Bob Standley

A G E N D A

- 1 Decisions made by the Lead Cabinet Member on 4 November 2019 (*Pages 3 - 4*)
- 2 Disclosures of interests  
Disclosure by all Members present of personal interests in matters on the Agenda, the nature of any interest and whether the Member regards the interest as prejudicial under the terms of the Code of Conduct
- 3 Urgent items  
Notification of items which the Lead Member considers to be urgent and propose to take at the end of the appropriate part of the Agenda
- 4 Proposed Closure of Broad Oak Community Primary School (*Pages 5 - 106*)  
Report by Director of Children's Services
- 5 Proposed Closure of Fletching CE Primary School (*Pages 107 - 208*)  
Report by Director of Children's Services
- 6 Any urgent items previously notified under agenda item 3

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13 December 2019

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## **LEAD MEMBER FOR EDUCATION AND INCLUSION, SPECIAL EDUCATIONAL NEEDS AND DISABILITY**

DECISIONS made by the Lead Member for Education and Inclusion, Special Educational Needs and Disability, Councillor Bob Standley on 4 November 2019 in the Council Chamber, County Hall, Lewes

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Councillor Kathryn Field spoke on items 4 and 5 (see minute 19 and 21)  
Councillor Sylvia Tidy spoke on items 4 and 5 (see minute 19 and 21)

### 17 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 7 OCTOBER 2019

17.1 The Lead Member approved as a correct record the minutes of the meeting held on 7 October 2019.

### 18 REPORTS

18.1 Copies of the reports referred to below are included in the minute book.

### 19 ADMISSION ARRANGEMENTS 2021/22 - APPROVAL TO CONSULT

19.1 The Lead Member considered a report by the Director of Children's Services seeking approval to consult on admission arrangements for the 2021/22 school year.

19.2 The Lead Member RESOLVED – to approve to consult on the proposed admission arrangements for the 2021/22 school year, including:

- 1) The proposed admission priorities and community areas;
- 2) The proposed admission numbers; and
- 3) The proposed co-ordinated admissions schemes with changes as detailed in appendix 4 of the report;
- 4) That the proposed changes to the schemes as set out in appendix 4 of the report are also adopted in respect of in-year admissions

Reason

19.3 The County Council is required by law to carry out consultation on admissions arrangements every seven years or sooner if any changes to those arrangements for the schools where the local authority is the admissions authority.

### 20 PROPOSED SEN (SPECIAL EDUCATIONAL NEEDS) FACILITIES AT PRIORY SCHOOL AND ROBERTSBRIDGE COMMUNITY COLLEGE

20.1 The Lead Member received a report from the Director of Children's Services regarding the proposal to establish SEN (Special Educational Needs) facilities at Priory School and Robertsbridge Community College.

20.2 The Lead Member RESOLED – to:

1) authorise the publication of a statutory notice in respect of a proposal to establish new SEN specialist facilities for up to 12 pupils each at Priory School and Robertsbridge Community College with effect from 1 September 2020; and

2) delegate authority to the Director of Children’s Services to amend the proposals prior to their publication if required.

Reason

20.3 The Council has identified a gap in specialist provision in mainstream secondary schools for pupils with a primary need of specific learning difficulties, with associated special educational needs (e.g. anxiety and high functioning autism) in both the west and east of the county and the Council would like to establish two facilities for up to 12 pupils, one at Priory School and the other at Robertsbridge Community College to address this provision gap.

20.4 The majority of respondents to the consultation were supportive to the proposals of establishing the two specialist facilities.

## 21 SEN (SPECIAL EDUCATIONAL NEEDS) FACILITY AT PEACEHAVEN HEIGHTS PRIMARY SCHOOL

21.1 The Lead Member considered a report by the Director of Children’s Services regarding a proposal to postpone the establishment of a SEN facility at Peacehaven Heights Primary School.

21.2 The Lead Member RESOLVED – to agree to postpone the establishment of a SEN facility at Peacehaven Heights Primary School.

Reason

21.3 Since approval was granted for the establishment of the new facility the school has been through a period of significant change. The headteacher at the time resigned their post and left the school in April 2019 and interim leadership arrangements were put in place. Following concerns about pupil progress and outcomes, and in consultation with the governing body, the local authority successfully applied to the Department for Education (DfE) to establish an Interim Executive Board (IEB) at Peacehaven Heights Primary School. These factors have led the local authority to conclude that it would be inappropriate to establish the facility at this time. The Lead Member will be advised when a new opening date for the facility has been agreed.

<b>Report to:</b>	<b>Lead Member for Education and Inclusion, Special Educational Needs and Disability</b>
<b>Date of meeting:</b>	<b>23 December 2019</b>
<b>By:</b>	<b>Director of Children's Services</b>
<b>Title:</b>	<b>Proposed closure of Broad Oak Community Primary School</b>
<b>Purpose:</b>	<b>To report on the outcome of the consultation on the proposed closure of Broad Oak Community Primary School and to recommend next steps.</b>

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## **RECOMMENDATIONS**

**The Lead Member is recommended to approve the publication of a statutory proposal for the closure of Broad Oak Community Primary School on 31 August 2020.**

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### **1 Background and consultation process**

1.1 A review of primary school provision in East Sussex was undertaken by the local authority during the 2018/19 academic year. The review identified significant concerns about the viability of Broad Oak Community Primary School (Broad Oak) in relation to its predicted ongoing budget deficit, the high number of surplus places at the school and in the area, its location in relation to demand arising from local pupil numbers and the quality of education. As a result of the review the Lead Member for Education and Inclusion, Special Educational Needs and Disability (the Lead Member) gave approval on [24 June 2019](#) for the local authority to commence a consultation on the proposed closure of Broad Oak.

1.2 Proposals for closure have to follow a prescribed process established by the Education and Inspections Act 2006 (EIA 2006) as updated by the Education Act 2011 and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013. The consultation began on 5 July 2019. There is no prescribed timeframe for consultation, but the Department for Education (DfE) recommends that it should last for a minimum of 6 weeks. The local authority acknowledged that the consultation period straddled the summer holiday and accordingly extended the consultation period to 11 October 2019, meaning there were a total of 14 weeks of consultation, of which eight were during term time. A copy of the consultation document can be viewed in **Appendix 1** of this report.

1.3 The local authority consulted pupils, parents and carers, staff and trade unions, the governing board and other local school communities. The local authority also consulted a wide range of other groups and organisations including early years providers, the district and parish councils, the local MP, the Church of England and Catholic dioceses and the wider local community.

1.4 Consultation meetings were held with staff, union representatives, parents and carers and the local community on 15 July 2019 to provide further information on the proposal and give interested parties the opportunity to ask questions. Notes were taken at both meetings and a Q&A document responding to key issues raised was produced and posted on the consultation hub for people to view. The Q&A is provided in **Appendix 2**.

1.5 A significant number of questions and requests for information were received prior to the consultation formally opening. These were addressed through the Q&A on the consultation hub.

1.6 In addition, the local authority sought feedback directly from pupils through a pupil engagement session at the school on 16 September 2019 facilitated by two consultant headteachers. The responses from the pupil engagement session are available for elected members to view in the Cabinet and Members' rooms.

## 2. Analysis of consultation responses

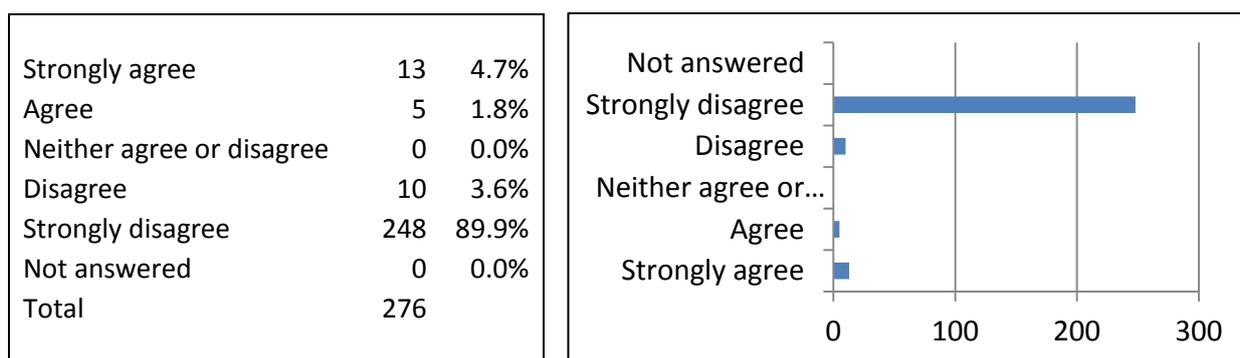
2.1 By the end of the consultation period a total of 293 responses had been received, 276 via the consultation hub and 17 by letter or email to the consultation inbox. A number of individuals also emailed elected members and officers separately and in some cases on more than one occasion. Some respondents chose to complete both the online response form and submit an email / letter response. All of the responses to the consultation are available for elected members to view in the Cabinet and Members' rooms.

2.2 One response was received after the consultation period closed. This has not been taken into account in the analysis below.

2.3 A petition containing 138 signatures objecting to the proposed closure of Broad Oak was submitted before the end of the consultation period. A further petition on the [local authority's website](#) is ongoing and closes on 31 December 2019. At the time of writing it contained 1,230 signatures.

2.4 Feedback was overwhelmingly in support of keeping the school open.

2.5 A summary of the 276 consultation hub responses is provided below.

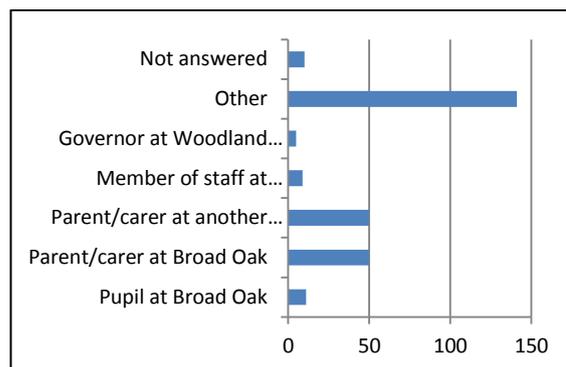


2.6 It would appear from the comments received that 7 of the 13 respondents, identified in the table above, who ticked 'strongly agree', actually disagree with the proposal and simply ticked the wrong box. This would take the total number of objections to 265 or 96%. It is clear that respondents who chose to email and write letters also object to the proposal.

2.7 Respondents who agree that the school should close number 11 or 4% (reduced to take account of those that ticked the wrong box). Those in favour commented that closing the school would help to secure other schools in the local area; that pupil's learning outcomes would be likely to improve at other schools and that Broad Oak is providing a poor quality of teaching and should close.

## 2.8 Respondents identified themselves as:

Pupil at Broad Oak	11	4.0%
Parent/carer at Broad Oak	50	18.1%
Parent/carer at another school	50	18.1%
Member of staff at Broad Oak	9	3.3%
Governor at Woodlands Federation	5	1.8%
Other	141	51.1%
Not answered	10	3.6%
Total	276	



2.9 The majority of respondents classified themselves as 'other'. Although not everyone that ticked 'other' gave details, at least 46 identified as members of the local community. 15 identified as relatives of staff and/or pupils at the school whilst 29 identified as past parents or past pupils of the school. 'Other' respondents also included, but were not limited to, a local headteacher, ex-members of staff, staff at other schools, friends of families at Broad Oak, a local GP and the Heathfield and Waldron Parish Council. The governing board of The Woodlands Federation did not submit a collective response.

2.10 In total, 70 online responses were received from pupils, parents and carers and members of staff at Broad Oak. There were also individual responses from five governors of the Woodlands Federation and the clerk to the governing board. It could therefore be said that at least 76 of the 276 respondents would be directly affected by the proposal. In addition, many local residents would argue that they too would be directly impacted as they see the school as the heart of the community.

2.11 The Lead Member is required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 ('the PSED') in considering the proposal to close Broad Oak. Respondents to the consultation were asked to provide personal information, including information about protected and other characteristics in order to analyse the equality implications of the proposal and to identify appropriate mitigations. The Equality Impact Assessment is attached at **Appendix 3**. Some respondents chose not to provide personal information.

### 3. Key themes and considerations

3.1 A number of key themes and considerations arose from the consultation responses. These are provided below, along with the local authority's response to each point.

#### 3.2 Pupil numbers and capacity in local schools

A significant number of respondents argued that there would be insufficient capacity in the local schools if Broad Oak closed. The data used in the consultation was taken from the January 2019 school census. At the time of writing, the October 2019 school census had not been released by the Department for Education (DfE). In the absence of this official data set the local authority has used pupil number returns submitted by schools between September and November 2019 to assess, albeit informally, the current capacity at Broad Oak and the surrounding schools.

## Provisional pupil numbers in the Heathfield area

Capacity	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total	Capacity	Surplus	% surplus
		230	230	230	230	230	230	230				
Broad Oak	20	5	1	6	9	8	6	17	52	140	88	63%
All Saints' and St Richard's	20	15	13	13	10	17	6	13	87	140	53	38%
Cross-in-Hand	60	57	37	43	42	56	44	30	309	420	111	26%
Dallington	15	16	13	17	17	18	14	11	106	105	0	0%
Five Ashes	10	10	10	8	7	14	7	7	63	56	0	0%
Mayfield	30	21	21	28	25	21	24	21	161	210	49	23%
Maynards Green	30	30	30	30	30	33	32	30	215	210	0	0%
Parkside	30	30	30	29	31	29	30	30	209	210	1	0%
Punnetts Town	15	15	12	16	12	14	17	10	96	105	9	9%
<b>Totals</b>	<b>230</b>	<b>199</b>	<b>167</b>	<b>190</b>	<b>183</b>	<b>210</b>	<b>180</b>	<b>169</b>	<b>1298</b>	<b>1596</b>	<b>311</b>	<b>19%</b>

Data source: Pupil number returns from schools between September and November 2019.

Pupil numbers at Broad Oak have fallen from 81 in January 2019 to 52, with surplus places increasing to 63%. 13 Year 6 pupils left the school at the end of the last academic year to be replaced by 5 Reception pupils, a net reduction of 8 pupils. The local authority recognises that the consultation on closure has contributed to the further reduction in numbers.

Surplus places in the Heathfield area remain high at 19%. Schools operate most efficiently and effectively when full or nearly full. To this end the local authority seeks to keep the number of surplus places (the number of places in schools that are unfilled) to a minimum. However, it is generally accepted that not all unfilled places in a school are surplus places, but that a small margin of surplus capacity is often allowed to facilitate parental preference, to take account of the fact that schools with available places may not always be in the part of a planning area where the demand is, and to allow for a degree of error in the forecasts. A school is generally considered to be full when it has less than 5% of its places unfilled. This is in line with the National Audit Office report on Capital Funding for new school places published in 2013, where it states:

*"It is considered that on average 5 per cent was the bare minimum needed for authorities to meet their statutory duty with operational flexibility, while enabling parents to have some choice of schools".*

In larger towns around one form of entry (30 intake places) is allowed while in other areas around half a form of entry (15 intake places) is allowed although margins vary depending on specific forecasts, capacities and circumstances. This figure is deemed to give the appropriate amount of flexibility in an area and is set against the need to ensure the efficient use of resources. In practice, the amount of surplus places planned for in an area will also take account of local circumstances.

The following tables show the local authority's projected pupil numbers for the Heathfield area taken from the annual update to its pupil forecasts in July 2019. The local authority's pupil forecasts take account of housing plans and the likely demand for school places they will generate.

## Reception intake and total number on roll forecasts

Reception intake forecasts	Combined PAN	2018/19			2019/20			2020/21			2021/22			2022/23		
		Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %
Heathfield primary review area	230	168	62	27%	198	32	14%	197	33	14%	168	62	27%	189	41	18%

Number on roll forecasts	Combined capacity	2018/19			2019/20			2020/21			2021/22			2022/23		
		Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %
Heathfield primary review area	1596	1299	297	19%	1317	279	17%	1347	249	16%	1354	242	15%	1343	253	16%

Source: January 2019 School Census and ESCC Pupil Forecasts 16.07.19

The Heathfield Primary Area Review Area contains the following schools: All Saints' and St Richard's CE Primary School; Cross-in-Hand CE Primary School; Parkside Community Primary School; Dallington CE Primary School; Broad Oak Community Primary School; Five Ashes CE Primary; Mayfield CE Primary School; Maynards Green Community Primary School and Punnetts Town Community Primary School.

The provisional pupil numbers in 2019/20 (approximately 1,298) are lower than the numbers projected when the forecasts were finalised in July 2019 (-19). Were Broad Oak to close, the combined PAN in the area would reduce to 210 and capacity would fall to 1,456. It is clear from the information above that there would be sufficient places in the surrounding schools to accommodate displaced pupils from Broad Oak. Based on the provisional pupil numbers in 2019/20 surplus places in the area would reduce from 19% to 11%, still well above the level recommended by the National Audit Office.

### 3.3 Preference for non-denominational school provision

A number of respondents stated that there would be an imbalance of non-denominational provision in the area if Broad Oak were to close. Currently there are 931 faith based places and 665 non-denominational places in the area. If Broad Oak closed this number would reduce to 525. A number of parents and carers have stated that they would be unhappy with a faith based education for their children, referencing the Human Rights Act 1998 which states that parents have a right to ensure that their religious and philosophical beliefs are respected during their children's education. Parents argue that the same should apply to those that do not wish to have a religious education.

It is important to note that it is not unusual for rural parts of the county to have only faith schools and no community provision at all. Examples include the review areas of North Chailey, Battle, Robertsbridge and Wadhurst. All non-denominational state funded schools in England have to provide collective worship of "a broadly Christian character". Faith schools will provide worship in accordance with the trust deeds related to the school. The Diocese of Chichester Diocesan Board of Education recognises "*that church schools serve the whole community and are not exclusive to worshipping families*". Parental preference would be considered where possible when allocating alternative school places to pupils at Broad Oak but parents do have the right to have their children excused from worship in any state funded school, whether non-denominational or faith based.

The three non-denominational schools in the Heathfield area other than Broad Oak (Parkside, Punnetts Town and Maynards Green) currently have 10 spare community school places between them. Other community schools are available in the wider area surrounding Heathfield, for example in Hailsham where a number of pupils on roll at Broad Oak live.

This is addressed in the Equality Impact Assessment.

### 3.4 Inaccuracies in the data provided and links to housing

Many respondents challenged the data that was provided in the 24 June 2019 Lead Member report and the subsequent consultation document, and the apparent inaccuracies when compared to data publically available through East Sussex in Figures (ESiF). For example, ESiF states that the population in Wealden District is estimated to grow by 18.6% between 2017 and 2032. Respondents appear to have taken this district-wide figure and assumed it applies to each area of the district including Broad Oak. The Broad Oak consultation document included data on historic actual and short-term forecasts of pupil numbers. However, ESiF does not publish local level population forecasts. The main reason that the two sets of historic totals may differ is that the ESiF figures relate to the number of children living in the local area, whereas the pupil number actuals given are for those children attending Broad Oak. Not all children who live in the local area attend the local school. Some will attend schools in Heathfield and other areas, while some will be educated in the independent sector. Similarly, Broad Oak has a number of pupils on roll who live in other areas.

Additionally, the Lower Super Output Area boundaries used in the ESiF estimates do not necessarily correspond to the Broad Oak admissions community area. Development in Wealden is primarily focussed in the more urban areas of Hailsham, Polegate, Stone Cross and Uckfield where infrastructure generally supports growth. To a lesser extent areas such

as Horam and Heathfield will also see some growth, while villages like Broad Oak will see very little new development.

This is addressed in the Equality Impact Assessment.

Respondents also criticised the lack of comparative data and the local authority's perceived unwillingness to share data on other schools considered as part of the area reviews in response to FOI requests. The local authority took the view that some data about individual schools was considered commercially sensitive and should not be shared as there was a risk that sharing data could negatively impact on or potentially destabilise other schools.

### 3.5 Impact on pupils

The impact on pupils, particularly those with special educational needs (SEN), is a concern for a number of respondents. They question the ability of other schools to provide for pupils with additional needs, referencing what they perceive to be the nurturing ethos of Broad Oak and the expertise of staff to support pupils with emotional, physical and health needs. There is anxiety amongst parents that other schools would not be able to replicate the SEN offer at Broad Oak and that no other school has similar care suite facilities. The school has a higher percentage of pupils identified with SEN (21.7%) than the East Sussex primary school average (13.5%).

Chapter 6 of the SEND Code of Practice explains the action that mainstream schools should take to meet their duties in relation to identifying and supporting all children with SEN whether or not they have an Education, Health and Care (EHC) plan. Chapters 6.36 to 6.39 state:

*'Teachers are responsible and accountable for the progress and development of the pupils in their class, including where pupils access support from teaching assistants or specialist staff.*

*High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Additional intervention and support cannot compensate for a lack of good quality teaching. Schools should regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.*

*In deciding whether to make special educational provision, the teacher and SENCO should consider all of the information gathered from within the school about the pupil's progress, alongside national data and expectations of progress. This should include high quality and accurate formative assessment, using effective tools and early assessment materials. For higher levels of need, schools should have arrangements in place to draw on more specialised assessments from external agencies and professionals.*

*This information gathering should include an early discussion with the pupil and their parents. These early discussions with parents should be structured in such a way that they develop a good understanding of the pupil's areas of strength and difficulty, the parents' concerns, the agreed outcomes sought for the child and the next steps'.*

The determination of whether a child has SEN is down to individual schools in consultation with parents and the threshold varies between establishments. All schools have the same duties under the Equalities Act 2010 and the Children and Families Act 2014 to identify and provide for children with SEN and, unless there are specific provisions named in a statutory plan, which would make admission incompatible with the requirement for reasonable adjustments, it is a legal requirement for all schools to comply. As barriers to learning, that a pupil with SEN might experience, change over time, the local authority would expect provision to adapt and change accordingly and, therefore, the requirements of an individual at any given time are not reflective of those in the future. In some cases, children may

cease to be identified as having SEN if appropriate adjustments are put in place to enable them to overcome barriers and to make progress in line with their peers.

Respondents identified the care suite at Broad Oak and their concern about the perceived lack of alternative care suites at other schools in the area. There are care suites at four alternative schools in the wider area providing the same facilities as Broad Oak:

- Cross-in-Hand CE Primary School – full facilities available
- Hawkes Farm Primary Academy – full facilities available
- Park Mead Primary School – full facilities available but some steps between the infant and junior parts of the building
- Punnetts Town Community Primary School – full facilities available

Should Broad Oak close it is proposed that, for admissions purposes, the Heathfield schools community area would be extended to incorporate the Broad Oak community area. Parents and carers of pupils at Broad Oak would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their preferred schools named on the application form or, if this is not possible, at the nearest school to their child's home where a place is available. The local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would be made in line with the admissions policy as set out in the school admissions booklet which is available on the local authority's website at:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

On 4 November 2019 the Lead Member gave approval for the local authority to consult on a proposal to expand the Heathfield primary school's community area to encompass the area currently served by Broad Oak. This is to ensure that, should Broad Oak close, children living in the Broad Oak community area would be able to access a local school.

Many respondents also referenced the impact of the proposed closure on the mental health and wellbeing of pupils, parents and carers and staff. Local authority support is available to schools, pupils and their families for mental health and emotional wellbeing as set out in **Appendix 4**.

### 3.6 Quality of educational provision

Quality of education provision in the area was raised by some respondents.

Broad Oak last received an Ofsted rating of 'good' in 2011. At its last two Ofsted inspections in 2016 and 2018 the school was rated overall as requiring improvement. In 2018 the effectiveness of leadership and management, personal development, behaviour and welfare and early years provision were all rated good. However, quality of teaching, learning and assessment and outcomes for pupils were rated as requiring improvement resulting in the overall judgement of requires improvement.

The local authority has provided a range of support to the school in recent years for teaching and learning and leadership and management. The school also has a progress group in place which provides additional support and monitoring from the local authority.

Prior to 2016 when Broad Oak received the first of its two Requires Improvement judgements, pupil numbers were at or close to the school's capacity of 140. Between 2016 and 2019 numbers declined to 81. Since the start of the current academic year pupil numbers have fallen further to 52; the consultation on closure has contributed to this latest reduction.

A section 8 monitoring visit was undertaken at Broad Oak by Ofsted HMI on 8 October 2019, three days before the end of the consultation period. The monitoring inspection was carried out under section 8 of the Education Act 2005 and took place because the school had received two successive judgements of Requires Improvement at its previous section 5 inspections. The key findings of the inspection were that:

*'Senior leaders and governors are taking effective action to tackle the areas requiring improvement identified at the recent section 5 inspection in order for the school to become good.'*

*The school should take further action to:*

- *Continue to develop the school's curriculum to ensure that it is coherently planned and sequenced so that pupils are able to know more and remember more as they progress through the school*
- *Ensure that the recent improvements in the teaching of phonics are sustained so that there is a clear focus on ensuring that younger pupils promptly gain the phonics knowledge necessary to read well*
- *Maintain a sharp focus on continuing to improve teachers' subject knowledge to enhance the teaching of the curriculum'.*

The monitoring letter also noted the *"Local Authority is providing effective support and challenge to Leaders and Governors to improve the school. Advisers from East Sussex Local Authority are following timely, focused support and guidance in all aspects of the school's work. Staff training, together with the school's involvement in specific local authority-led projects, is helping to improve the quality of education in the school."*

All other schools in the Heathfield area are rated good or outstanding by Ofsted.

In addition, some respondents referenced the annulment of the summer 2019 Year 6 SATs results at Maynards Green Community Primary School (Maynards Green), and the impact this may have on the current 'Outstanding' status of the school and pupil movement.

In terms of Maynards Green, schools have a statutory responsibility to administer the SATs at the end of Key Stage 2 in line with the *Key stage 2: Assessment and Reporting Arrangements (ARA)*. The local authority has a statutory responsibility to provide training for schools and then monitor the administration of a sample of the tests. The local authority provides annual training for all schools.

Section 4.1 of the ARA makes clear that it is the responsibility of the headteacher to ensure that tests are kept securely and administered appropriately. Heads are also expected to complete the headteacher's declaration form after the test week to confirm that the tests have been carried out in accordance with statutory regulations and guidance.

The ARA guidance states "Where headteachers do not comply with the provisions of this ARA and other published guidance this could result in the school being investigated for maladministration."

Where possible maladministration is identified both the school and the local authority have a responsibility to advise the Standards and Testing Agency (STA). The STA will review the advice it receives and lead and manage any investigation into the possible maladministration of tests that they consider is required.

The STA investigated the administration of the tests at Maynards Green Community School and formally reported its findings to the school on 28 August 2019; the local authority was copied into the letter.

The local authority is now supporting the school to consider the follow up actions required and will support the school to ensure the processes are sufficiently robust to maintain the integrity of the tests for this academic year. There has been no noticeable pupil movement away from the school since the announcement that its Key Stage 2 test results for 2019 have been annulled.

### 3.7 Impact on the community

Significant concern was raised about the impact closure would have on the local community. Examples include:

- The local shop which would suffer from a reduction in passing trade
- The potential loss of families with young children moving into the village
- That the village hall and the pre-school which operates from it would be at risk
- The loss of community by the lack of school events to which local residents are welcomed
- Impact on traffic and the environment of children having to travel by car to their nearest alternative school
- The community defibrillator is located at the school

These issues are addressed in the Community Impact Assessment in **Appendix 5**.

### 3.8 Presumption against the closure of rural schools

Respondents argue that the local authority has ignored the presumption against the closure of rural schools and believe it is illegal to close a school on financial grounds. Finance is not the sole reason for the proposal closure of Broad Oak; it is one of a number of key reasons. The Department for Education (DfE) statutory guidance '*Opening and closing maintained schools*' November 2019 (the guidance) states that a school can be closed if it is no longer considered viable.

The guidance refers to a presumption against the closure of rural schools. The guidance states:

*"Proposers should be aware that the Department expects all decision makers to adopt a presumption against the closure of rural schools. This doesn't mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area"*

The presumption against closure does not mean that rural schools cannot be closed by local authorities, but they have a duty to carefully consider the factors set out in the guidance when proposing to close a rural school. These factors have been considered by the local authority and are addressed in **Appendix 6**.

### 3.9 School site

Some respondents wrongly believe that the local authority has already agreed to sell the school site to a property developer and that the closure proposal is simply about the local authority making money. This is not the case, as no discussions about the site have taken place at any level. Should the school close any future consideration of options for the site would take account of current planning policy documents.

The original school building and school house were built in the early 1900s. A modest extension was added to the main building in the early 2000's. Three (60%) of the school's five classrooms are situated in temporary buildings. The school has a very small hall space

which does not meet the standards set out in the DfE's *Building Bulletin 103: Area guidelines for mainstream schools* for PE and dance, assemblies, performances, parents' evenings and dining. It is recognised that a number of rural primary schools are in a similar position to Broad Oak in not meeting the area guidelines. The site is sloping with various steps inside the building and in the grounds. Ramps have been provided to access some classrooms and the care suite.

### 3.10 Impact on travel arrangements

Impact on travel arrangements is a key consideration when proposing the closure of rural schools. Respondents raised concerns about traffic congestion in Heathfield, increased car usage and the impact on the environment. However, as the majority of pupils attending Broad Oak live outside of the school's community area they are likely to already face journeys to and from school each day.

Latest analysis shows that of the 35 Reception to Year 5 pupils likely to be affected by the proposal, approximately 57% live nearer/same distance to an alternative school, with approximately 43% living further away. Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below. The local authority currently estimates five pupils would be eligible for free home to school transport to their nearest alternative school. The cost to the local authority would be negligible as either pupils are already in receipt of free home to school transport or arrangements are already in place to the alternative schools. The local authority acknowledges that some pupils living in Broad Oak and attending the school might face longer journeys to and from an alternative school each day. However, for many their nearest alternative school is within statutory walking distance.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

It is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers and that, given the majority of pupils would be able to attend a school nearer to their home address it is unlikely there would be a noticeable increase in car usage. To the contrary, it would be hoped that car usage would reduce.

### 3.11 Budget position

The governing board's three-year budget plan, submitted in May 2019, showed the following budget position.

Financial year	End of year
2019/20	£0
2020/21	-£73,820 Deficit
2021/22	-£203,435 Deficit

Despite respondents referencing the budget deficit, no plans have been forthcoming from the governing board in terms of how the deficit can be addressed. At the time of writing the information on the Go Fund Me website indicates £720 has been raised of the school's £100,000 target. The school has already restructured to make savings by moving from four classes to three in September 2019. The governors have not identified where further savings could be made.

An interim estimate of the 2020/21 budget using the current pupil numbers and the new funding assumptions contained in the announcement from the government shows that, whereas the budget might have been between £370,000 and £375,000 based on pupil numbers built into the school's budget plan, the likelihood is that the budget could reduce to somewhere between £314,000 and £318,000 based on current numbers and will further increase the budget deficit. Governors were unable to provide a strategy to overcome the

financial challenge prior to the consultation when pupil numbers were higher; the budget projection is now significantly worse making it even harder for governors to identify a viable solution.

#### **4. Alternative options**

4.1 A number of alternative options were considered by the local authority before agreeing to consult on the proposed closure of Broad Oak. These were included in the consultation document and are set out below:

- **Federation.** Broad Oak is in a federation with Punnetts Town Community Primary School (Punnetts Town) and Dallington CE Primary School (Dallington). Although federations are recognised as a way of enabling smaller schools to work more formally in partnerships to share costs, this has not addressed the financial challenges faced at Broad Oak.
- **Amalgamation.** Consideration was given to amalgamating Broad Oak with Punnetts Town. This option was discounted because there is little pupil movement between the two schools and there is insufficient capacity at either site to accommodate all the pupils on roll across the two schools.
- **Linked infant and junior schools.** Consideration was given to merging Broad Oak with Punnetts Town with one school becoming an infant school and the other a junior school. The local authority's School Organisation Policy states that it is committed to amalgamating infant and junior schools as data analysis shows that overall Key Stage 2 pupil outcomes are higher in East Sussex all through primary schools in comparison to junior schools where children transfer at the start of year 3. As stated above, there is little pupil movement between the two schools and this would not address the low pupil numbers and budget challenges the school faces. For these reasons this option was discounted.
- **Academisation.** In undertaking their due diligence, academy trusts, both local and national, find some small schools to be financially unviable or too isolated to be included in their trust, unless they convert with other small schools as a local hub. Governors have not expressed a desire to academise and no academy trust has approached the local authority about taking the school into their trust. This would not address the low pupil numbers and budget challenges the school faces.
- **No change.** As outlined in the consultation document, Broad Oak has been undersubscribed in each of the last five years and pupil numbers fall significantly short of its published admission number each year. There is very little in-area demand for places at the school. The school faces significant financial challenges as set out in 3.11 above. Doing nothing is not an option.

4.2 A number of alternative options to closure have been suggested by respondents to address the challenges the school faces. These are set out below and have been categorised according to the following headings.

4.3 Those considered unrealistic, costly or outside the control of the local authority or school:

- Increase the funding for the school either from local authority resources or by lobbying government, and work with the school to help improve it.

Local authority response: The national funding formula is determined by the government and allocated to local authorities via the Dedicated Schools Grant. The local authority does not have resources to increase funding for the school.

- Re-open the swimming pool to attract more pupils.

Local authority response: Re-opening the swimming pool would be costly both in terms of initial outlay and ongoing running costs which would fall to the school. There is no evidence that a swimming pool would attract more pupils to the school.

- Merge Punnetts Town, Broad Oak and All Saints' and St Richard's (ASSR) and build a new school on land in Halley Road, Broad Oak.

Local authority response: The cost of purchasing land and building a new school would be prohibitive and could not be considered a priority within the local authority's agreed capital programme.

- Insist that children from the village go to the school.

Local authority response: The local authority cannot insist that children from the village attend the school.

#### 4.4 Those considered within the local authority's control / influence:

- Lower the PAN at Broad Oak to 15 and invite the local pre-school to move into the spare classroom on site
- Reduce the PANs at Broad Oak and ASSR to 15 and Cross-in-Hand to 30.

Local authority response: While these options would reduce the amount of surplus places in the area it would not address the financial challenges that Broad Oak faces.

- Give the school more time (respondents suggested different timescales) and advertise it better.

Local authority response: The local authority does not believe giving the school more time would alter the situation, decline has been evident over-time, and governors have been unable to identify solutions or present a case for the school's viability.

- Include Broad Oak in the Heathfield school's community area so that children in Heathfield have access to two church schools and two community schools in the area.

Local authority response: This option would not reduce surplus places in the area or address the challenges the school faces.

- Merge Punnetts Town and Broad Oak over two sites, one infant and one junior.

Local authority response: This option was considered prior to consulting on closure but was discounted for the reasons set out above.

- Close Five Ashes which is a smaller school.

Local authority response: Five Ashes does not face the same challenges as Broad Oak in terms of its pupil numbers, surplus places and financial position. Five Ashes is full to capacity and is predicted to remain so. It has no surplus places. Five Ashes is rated good by Ofsted.

- Sell the school's detached playing field to provide a cash boost to the school; and partially develop the school site to release some of the asset.  
The DfE '*Advice on standards for school premises*' March 2015 confirms that all maintained schools and academies must provide suitable outdoor space to enable physical education in accordance with the school curriculum and to enable pupils to play outside. Except with the consent of the Secretary of State, local authorities cannot dispose of any playing fields used by a maintained school for the purposes of the school.

4.5 Those considered within the school's control:

- Expand the Woodlands Federation to include other local primary schools or Heathfield Community College
- Academisation
- Develop the school as a community hub

Local authority response: The governing board has given no indication that it is considering any of these options.

## 5. Area review criteria

5.1 The criteria used during the area reviews to identify schools potentially at risk included:

- The quality of provision and outcomes achieved for pupils
- School leadership
- Federations and collaborations
- Financial viability
- The level of surplus places in an area / school
- The location of schools in relation to local pupil numbers
- Parental preference for schools
- Premises

5.2 The key factors relating to Broad Oak were its predicted ongoing budget deficit, the high number of surplus places at the school and in the area, its location in relation to demand arising from local pupil numbers and the quality of education.

5.3 While the recent section 8 monitoring visit found that Broad Oak is taking effective action to tackle the areas requiring improvement identified at the recent section 5 inspection, the other key factors that led the local authority to identify Broad Oak as a school at risk remain. This is borne out by the lack of response from the governing board of the Woodlands Federation to address these issues in the consultation process.

## 6. Summary and conclusion

6.1 The consultation responses overwhelmingly object to the proposed closure; there is a clear strength of feeling that the impact on current pupils and the local community would be significant. However the challenge of the school's deficit budget remains and will be made worse by the reduction in pupil numbers at the school since the consultation was launched. The situation of significant surplus places in the Heathfield area, and at the school in particular, remains. No solutions or actions have been identified in the consultation process to address these critical issues.

6.2 While recognising the level and nature of objection to the proposal, the case for the closure of Broad Oak continues to be strong. The local authority therefore recommends to the Lead Member that approval is given to publish a statutory proposal for the closure of the school on 31 August 2020.

6.3 If approved, it is intended to publish the statutory proposal on Friday 10 January 2020. The proposal would be published on the local authority's website; a brief notice containing the website address would be published in the local newspaper (in this instance the Sussex Express). Publication of the proposal would trigger a four-week period of representation when interested parties can make further comment on the proposal. It is anticipated that a final decision on the proposal would be taken by the Lead Member in March 2020.

**STUART GALLIMORE**  
**Director of Children's Services**

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Tel. No. 01273 481758  
Email: gary.langford@eastsussex.gov.uk

LOCAL MEMBERS

Councillor Bill Bentley

APPENDICES

- Appendix 1 – Consultation document
- Appendix 2 – Q&A document
- Appendix 3 – Equality Impact Assessment
- Appendix 4 – Local authority support available for mental health and emotional wellbeing
- Appendix 5 – Community Impact Assessment
- Appendix 6 – Presumption report



Have your say on  
a proposal to close  
Broad Oak Community  
Primary School



The consultation runs from  
5 July to 11 October 2019

# PART ONE

## Introduction

East Sussex County Council has a statutory duty to ensure there are sufficient primary and secondary school places and is committed to working in close partnership with schools, academy trusts, the dioceses and key partners to ensure that the supply of school places across East Sussex is in the right location, is of sufficient size, is viable and of good quality.

We know that schools can face challenges in meeting pupils' needs, particularly where pupil numbers are falling, and that in some cases, changes to the pattern of school organisation in an area can help secure the viability of schools, improve opportunities and raise standards.

On 24 June 2019 the Lead Member for Education and Inclusion, Special Educational Needs and Disability gave approval for a consultation to take place on a proposal to close Broad Oak Community Primary School with effect from 31 August 2020.

This consultation document is for pupils, parents and carers, staff, governors, the local community and other interested parties. We welcome your views on the proposal. The local authority will consider all the views put forward during the consultation period before a decision is taken on whether to proceed with the statutory process to close the school.

## Background to the proposal

The local authority recently undertook reviews of rural primary school provision in East Sussex. The main focus of the review was the increasing number of rural schools with small and very small pupil numbers. Local demand for places at those schools was analysed alongside the effect this is having on their viability and capacity to offer a well-balanced, high quality curriculum that meets the needs of their local community and makes best use of public funding.

The review took account of many factors which influence provision in an area. These include:

- The quality of provision and outcomes achieved for pupils
- School leadership
- Federations and collaborations
- Financial viability
- The level of surplus places in an area / school
- The location of schools in relation to local pupil numbers
- Parental choice for schools
- Premises

Broad Oak Community Primary School is a small, rural community primary school. The school has a published admission number of 20 and capacity for 140 pupils. The information and evidence from the review tells us that the school has been under-subscribed in each of the last five years and pupil numbers fall significantly short of the school's published admission number each year. This means it is difficult for the school to be financially viable and to regularly have good outcomes for pupils. There is little in-area demand for places at the school. The consultation document outlines the data for the school and the reasons for proposing closure.

Data used in the consultation document was taken from the January 2019 School Census. The census, which happens three times each academic year, is a statistical publication. We acknowledge that pupil numbers can fluctuate throughout an academic year but it is important to use data from an official data source taken on the same day for every school. The January 2019 School Census is the most recent, published and verified data available.

# PART TWO

## Pupil numbers and surplus places

In January 2019 Broad Oak Community Primary School had 81 pupils on roll against a capacity of 140 places. There were 59 (42%) surplus places. This is shown in Chart 1.

**Chart 1: Pupil numbers 2018/19**

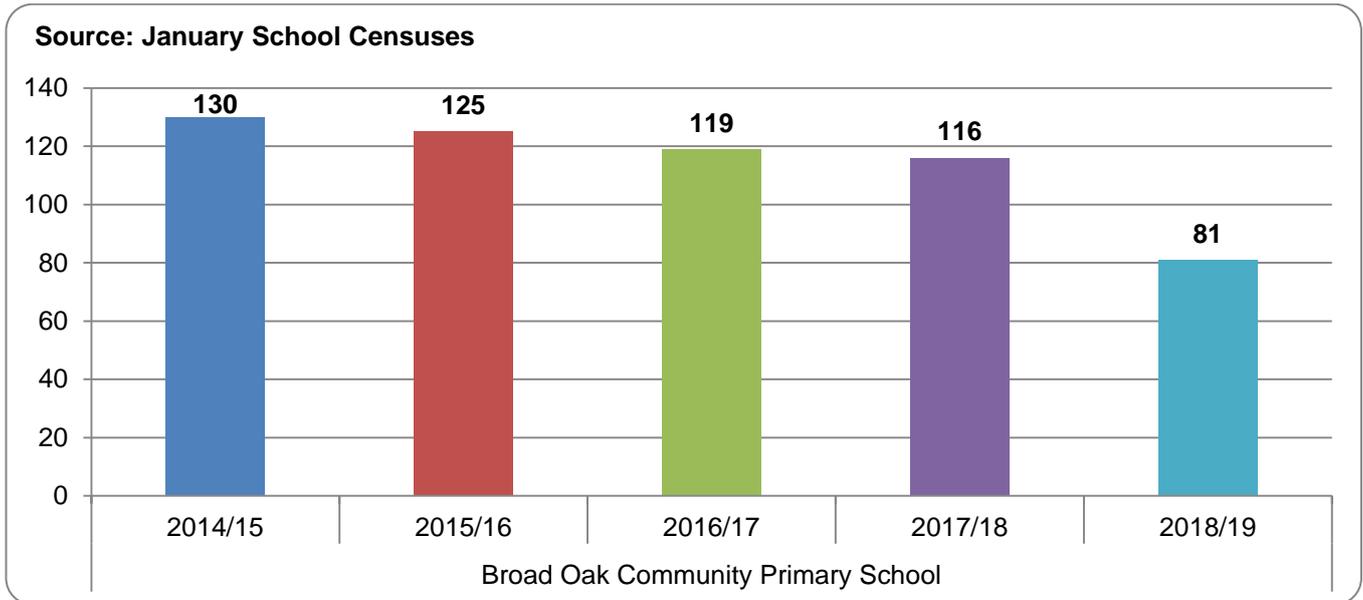
2018/19 pupil numbers and surplus places	PAN	Capacity	2018/19 NOR								Surplus places	% surplus places
			Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total		
Broad Oak Community Primary School	20	140	2	12	12	12	12	18	13	81	59	42%

Source: January 2019 School Census

In September 2018 only two children were admitted to the school’s Reception year, meaning there were 18 (90%) surplus places in that year group.

Pupil numbers at the school have been falling since 2014/15, as illustrated in Chart 2.

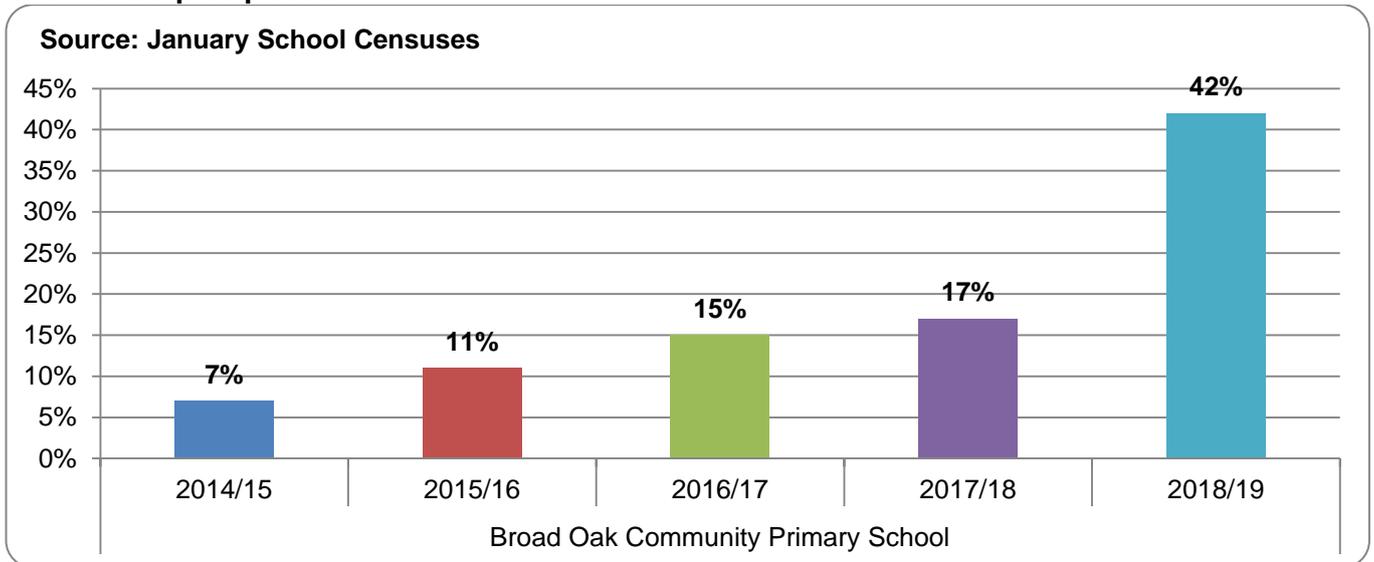
**Chart 2: Numbers on roll over time**



For September 2019, while 13 Year 6 pupils will have left the school, only six children have accepted a place in Reception year, of which four live in the Broad Oak community area. On this basis there will be 14 (70%) surplus places in the school’s Reception year at the start of the 2019/20 academic year and overall pupil numbers are expected to fall to below 80.

Falling pupil numbers lead to increasing surplus places. Chart 3 shows how the percentage of surplus places has increased at the school in the last five years.

### Chart 3: Surplus places



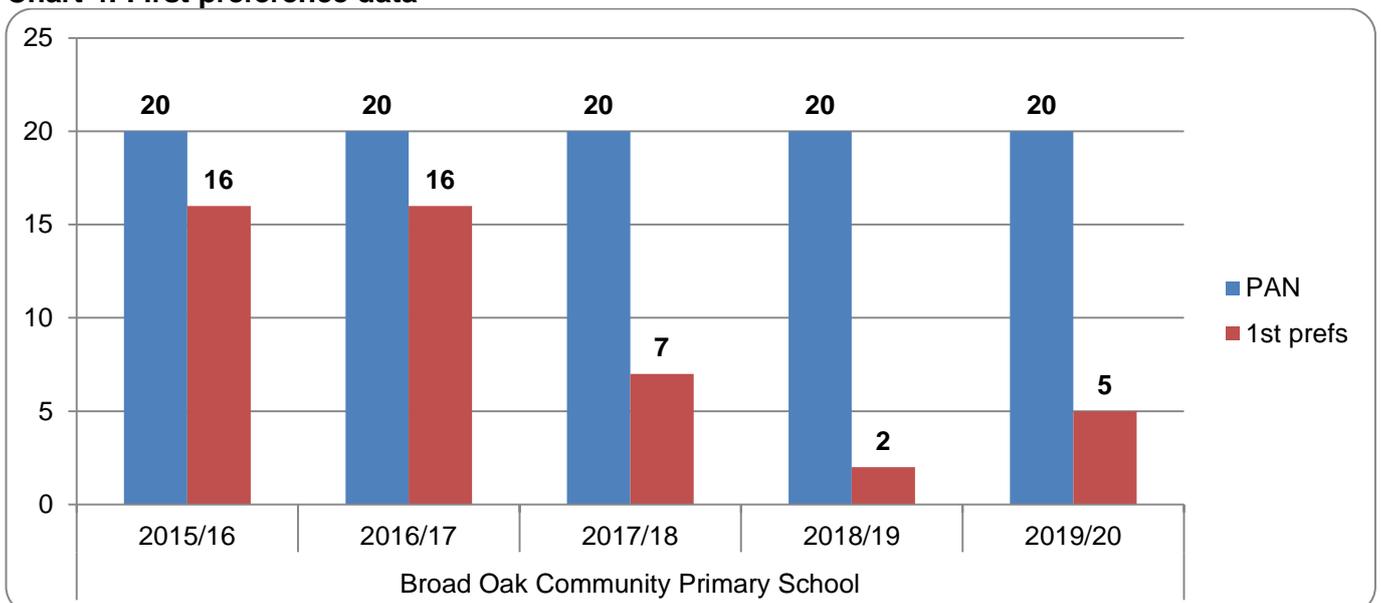
Declining pupil numbers are difficult to manage and can lead to irregular class sizes and inefficient staff to pupil ratios. Smaller schools tend to have a higher proportion of fixed costs than larger schools and, as such, have less flexibility to respond to cost pressures, unexpected events, and deficit recovery. With only six children accepting a place in the school’s Reception year for September 2019 we expect the level of surplus places to increase again in 2019/20. Due to its low pupil numbers, Broad Oak Community Primary School is reducing from four classes across the school to three from September 2019 meaning that at least one class will have three age groups in it.

The local authority acknowledges that statutory consultation around school closure will cause uncertainty within the school community, which can contribute to a reduction in pupil numbers.

### Parental preference

First preference data reveals that Broad Oak Community Primary School has been under-subscribed in each of the last five years and pupil numbers fall significantly short of the school’s published admission number each year. Chart 4 demonstrates the first preferences in each of the last five years.

### Chart 4: First preference data



Source: Admissions data

## Pupil home location

In January 2019 there were 66 children living in the Broad Oak community area attending state funded schools in East Sussex. Of these, 36 (55%) attend schools other than Broad Oak Community Primary School, their local school. Chart 5 demonstrates this.

**Chart 5: Destination of pupils living in the Broad Oak community area**

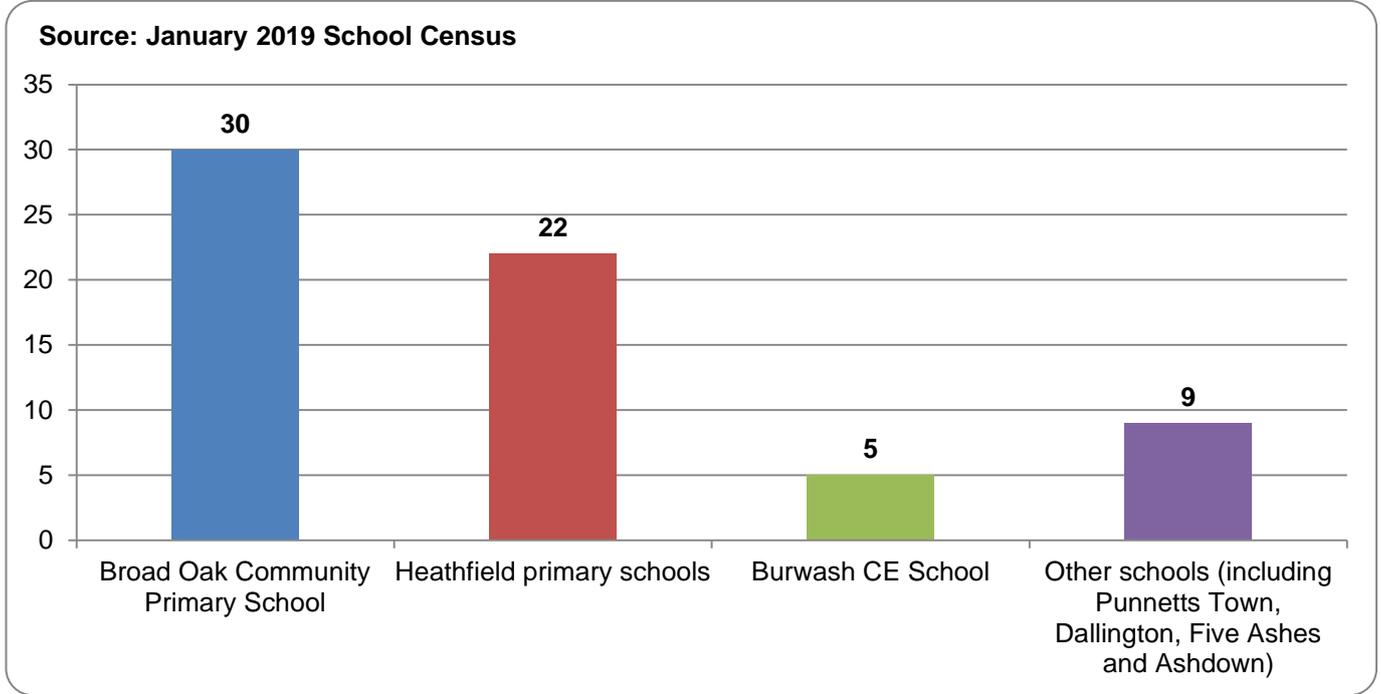
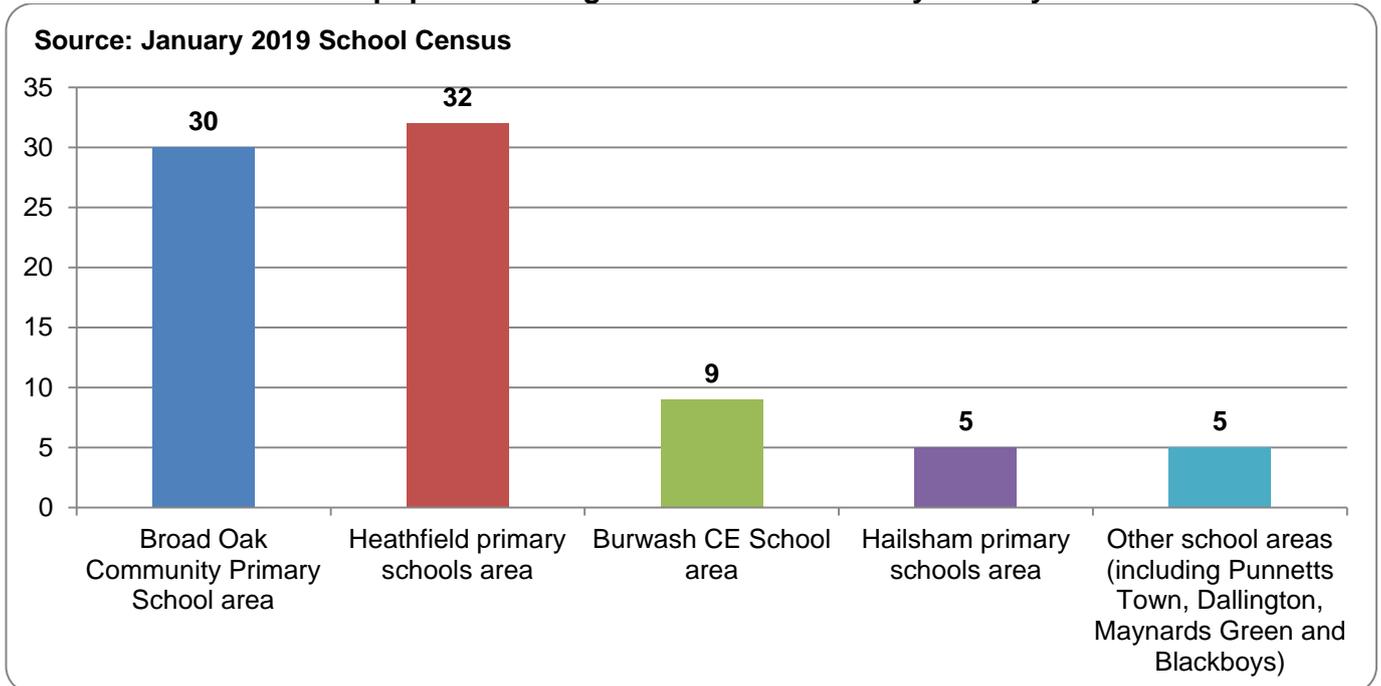


Chart 6 illustrates that Broad Oak Community Primary School is largely attended by pupils who live outside the school's community area. Only 30 pupils (37% of the number on roll) live in the local area, whereas 51 pupils (63%) live in areas served by other schools. The largest proportion of pupils (32, 40%) live in Heathfield where there are surplus places at schools a short distance away from their home address.

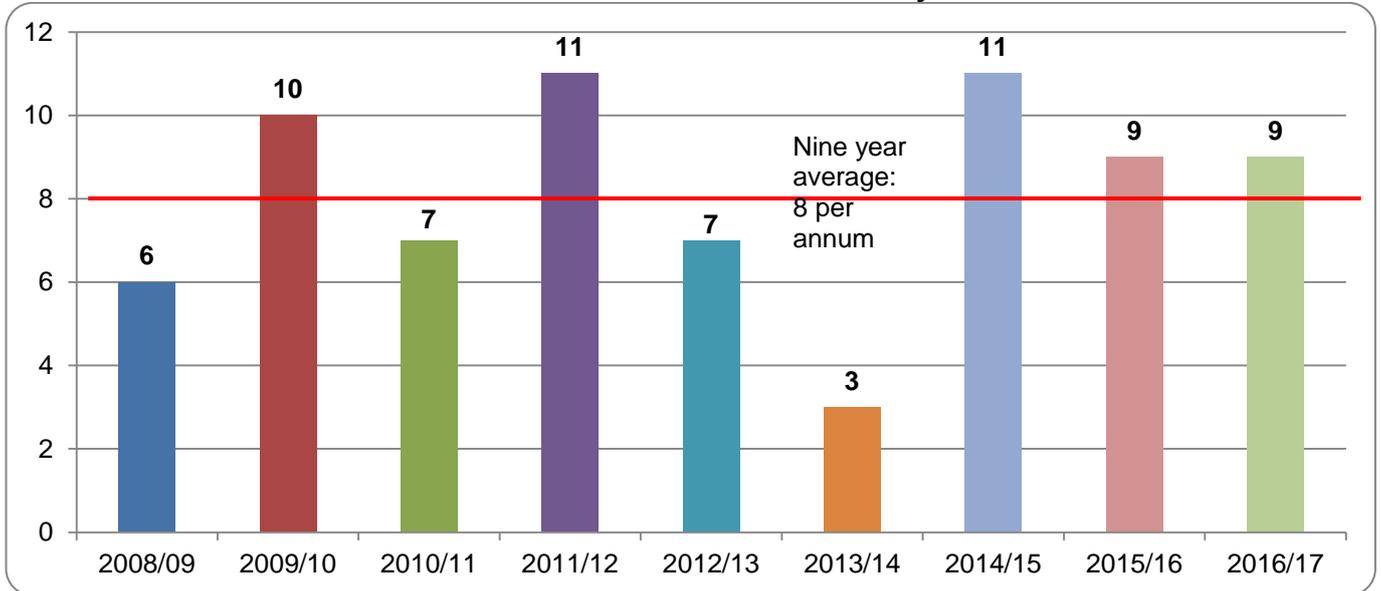
**Chart 6: Home location of pupils attending Broad Oak Community Primary School**



## Births and housing

Over the last nine years births in the Broad Oak community area have averaged eight a year, with a high of 11 and a low of three. Chart 7 illustrates this. Low birth numbers within the local community mean there is limited local demand for the school.

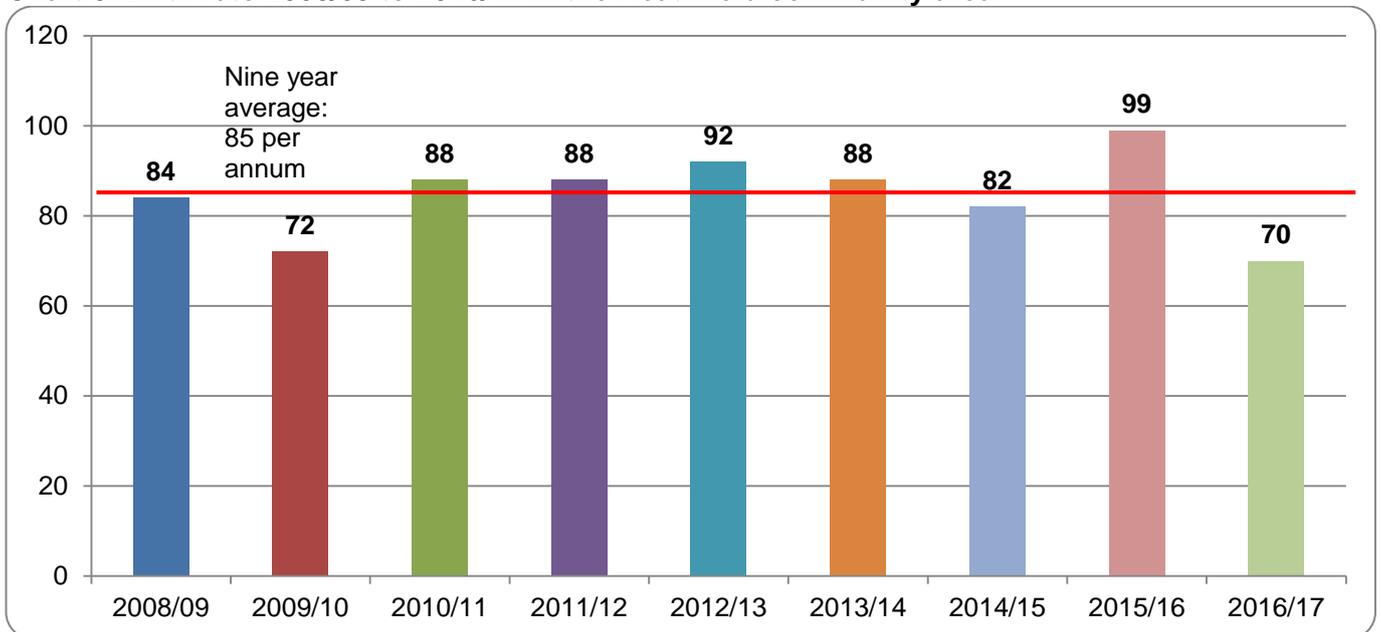
**Chart 7: Birth rate 2008/09 to 2016/17 in the Broad Oak community area**



Source: ONS live birth data

In the same period, births in the Heathfield community area have averaged 85 a year, with a high of 99 and a low of 70. See Chart 8.

**Chart 8: Birth rate 2008/09 to 2016/17 in the Heathfield community area**



Source: ONS live birth data

Based on births alone the combined published admission number (110) of the three Heathfield schools (All Saints' and St Richard's CE Primary School, Cross-in-Hand CE Primary School and Parkside Community Primary School) would have been sufficient in each year of the last nine years to accommodate all of the children born in the Heathfield and Broad Oak community areas.

Wealden District Council provides regular updates on housing numbers and trajectories to inform our pupil forecasts. The most recent update was provided in spring 2019 and showed that just short of 600 homes are planned in Heathfield and Waldron Parish during the Wealden Local Plan period between 2018/19 and 2027/28. Within this total the Wealden Local Plan sets a windfall allowance of 50 dwellings for the village of Broad Oak over the same period.

Our published pupil yields from new housing are provided in Chart 9.

**Chart 9: Pupil yields from new homes**

Pupil yield per new dwelling by property type and size	Houses 2 bed+	Flats 2 bed+	Houses / flats 1 bed
Primary schools	0.25	0.0375	0.00

Taking these pupil yields into account and assuming that all new homes are houses with two bedrooms or more, in Heathfield and Waldron Parish as a whole we estimate 150 additional primary age children would be generated from new homes over a ten year period. The housing specifically in the Broad Oak Community Primary School area would, over the same period, generate an estimated 12 to 13 additional children. The demand for places will therefore be in Heathfield rather than in Broad Oak. Our pupil forecasts take account of these housing figures and the likely demand for school places they will generate.

## Financial viability

Chart 10 provides an overview of Broad Oak Community Primary School's three year budget plan, with two years actuals for historical comparison, as submitted by governors to the local authority in May 2019.

<b>Chart 10: Budget plan</b>	<b>2017/2018</b>	<b>2018/2019</b>	<b>2019/2020</b>	<b>2020/2021</b>	<b>2021/2022</b>
Budget Share	505,956	510,806	403,939	363,718	320,216
Carry Forward	19,880	27,095	59,227	0	-73,820
<b>Available Budget</b>	<b>525,836</b>	<b>537,901</b>	<b>463,166</b>	<b>363,718</b>	<b>246,396</b>
Other Income	101,898	98,975	62,228	60,315	51,515
<b>TOTAL REVENUE</b>	<b>627,734</b>	<b>636,876</b>	<b>525,395</b>	<b>424,033</b>	<b>297,910</b>
<b>Staffing</b>	<b>463,952</b>	<b>424,887</b>	<b>371,701</b>	<b>355,562</b>	<b>367,854</b>
<i>% of budget share (exc. carry forward)</i>	<i>92%</i>	<i>83%</i>	<i>92%</i>	<i>98%</i>	<i>115%</i>
<b>Premises</b>	<b>41,824</b>	<b>45,251</b>	<b>47,371</b>	<b>47,371</b>	<b>47,371</b>
<i>% of budget share (exc. carry forward)</i>	<i>8%</i>	<i>9%</i>	<i>12%</i>	<i>13%</i>	<i>15%</i>
<b>Supplies &amp; Services</b>	<b>94,864</b>	<b>107,511</b>	<b>106,322</b>	<b>94,921</b>	<b>86,121</b>
<i>% of budget share (exc. carry forward)</i>	<i>19%</i>	<i>21%</i>	<i>26%</i>	<i>26%</i>	<i>27%</i>
<b>TOTAL EXPENDITURE</b>	<b>600,639</b>	<b>577,649</b>	<b>525,394</b>	<b>497,854</b>	<b>501,346</b>
<b>C/FWD</b>	<b>27,095</b>	<b>59,227</b>	<b>0</b>	<b>-73,820</b>	<b>-203,435</b>
<i>% of budget share</i>	<i>5.4%</i>	<i>11.6%</i>	<i>0%</i>	<i>-20%</i>	<i>-64%</i>

The historical and forecast pupil numbers on which the figures are based are included in Chart 11.

**Chart 11: Historical and forecast pupil numbers**

Age at start of school year	Actual Numbers			Estimated Numbers	
	Oct 2016	Oct 2017	Oct 2018	Oct 2019	Oct 2020
4	16	13	2	5	8
5	17	16	12	2	5
6	12	16	12	12	2
7	24	12	12	11	12
8	16	24	12	12	11
9	20	16	19	12	12
10	14	20	13	18	12
	<b>119</b>	<b>117</b>	<b>82</b>	<b>72</b>	<b>62</b>

Broad Oak Community Primary School is facing significant financial challenges. The three year budget plan submitted by governors shows a balanced budget for 2019/20 but increasing deficits for the following years. The local authority has been working closely with governors to try to address the budget position and has provided the school with approximately £22,000 of additional support in recent years. The size of the predicted deficit and the lack of scope to address the issues make this plan of significant concern to the local authority.

The declining pupil numbers at Broad Oak Community Primary School are causing significant financial challenges; the effect in 2019/20 is being substantially supported by a carry forward from 2018/19. Significant cost reductions are already built into the 2019/20 budget, including reducing from four classes to three across the school from September 2019, leaving few options for further reductions in future years. A further reconfiguration from three classes to two across the school could be complex and would lead to at least one class having four age groups in it.

Broad Oak Community Primary School's budget share per pupil for 2019/20 is £4,792.68. In East Sussex, the average cost is £3,879.12 per primary pupil. The average budget share per pupil is the funding received from the Department for Education to educate each child in the county.

Budget deficits are expected to be recouped from future year's school budgets. It is difficult to see how the predicted budget deficit at Broad Oak Community Primary School would be recouped as there is no scope for the school to operate within its means. The school's deficit budget would need to be balanced as part of the overall resources allocated within the Dedicated Schools Grant from the Department for Education, which could reduce resources available to other schools.

## Quality of education

At its last two Ofsted inspections in 2016 and 2018 Broad Oak Community Primary School was rated overall as requiring improvement. In 2018 the effectiveness of leadership and management, personal development, behaviour and welfare and early years provision were all rated good. However, quality of teaching, learning and assessment and outcomes for pupils were rated as requiring improvement, resulting in the overall judgement of requires improvement.

The local authority has provided a range of support to the school in recent years for teaching and learning, leadership and management, at a cost of approximately £16,000. The school also has a Progress Group in place which provides additional support and monitoring from the local authority. There are variations in attainment at the school in all key stages; although there is an improving trend, attainment at the end of Key Stage 2 has been consistently below East Sussex and national averages for the last three years.

All primary schools in the area surrounding Broad Oak Community Primary School are rated good or outstanding by Ofsted.

## Admissions and transport arrangements

Should Broad Oak Community Primary School close on 31 August 2020 it is proposed that, for admissions purposes, the Heathfield schools community area would be extended to incorporate the Broad Oak community area. Parents and carers of children at Broad Oak Community Primary School would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their 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. We would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would 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:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

Free home to school transport would only be provided for eligible pupils who meet the criteria set out in the link below. From our initial analysis we believe the majority of children on roll at Broad Oak Community Primary School would have a shorter distance to travel to their nearest alternative school and would therefore not be eligible. At this stage the data tells us that fewer than ten children might qualify for free home to school transport. The impact of any free home to school transport on the local authority's transport budget is expected to be minimal as there is already transport provision in place to a number of alternative schools. The criteria can be found on the East Sussex website at:

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

For information about which schools have spare places and whether your child/ren would qualify for free home to school transport please contact the admissions team on 0300 330 9472.

## Alternative options to closure

A number of alternative options were considered before agreeing to consult on the proposed closure of Broad Oak Community Primary School. These included:

- **Federation.** Broad Oak Community Primary School is in a federation with Punnetts Town Community Primary School and Dallington CE Primary School. Although federations are recognised as a way of enabling smaller schools to work more formally in partnerships to share costs, this has not addressed the financial challenges faced at Broad Oak Community Primary School.
- **Amalgamation.** Consideration was given to amalgamating Broad Oak Community Primary School with Punnetts Town Community Primary School. This option was discounted because there is little pupil movement between the two schools and there is insufficient capacity at either site to accommodate all the pupils on roll across the two schools.
- **Linked infant and junior schools.** Consideration was given to merging Broad Oak Community Primary School with Punnetts Town Community Primary School with one school becoming an infant school and the other a junior school. Our School Organisation Policy states that the local authority is committed to amalgamating infant and junior schools as data analysis shows that overall Key Stage 2 pupil outcomes are higher in East Sussex all through primary schools in comparison to junior schools where children transfer at the start of year 3. As stated above, there is little pupil movement between the two schools. For these reasons this option was discounted.
- **Academisation.** In undertaking their due diligence, academy trusts, both local and national, find some small schools to be financially unviable or too isolated to be included in their trust, unless they convert with other small schools as a local hub. Governors have not expressed a desire to academise and no academy trust has approached the local authority about taking the school into their trust.
- **No change.** As outlined in the consultation document, Broad Oak Community Primary School has been undersubscribed in each of the last five years and pupil numbers fall significantly short of its published admission number each year. There is very little in-area demand for places at the school. The school faces significant financial challenges, with the governors three year budget plan showing a deficit of over £200,000 by 2021/22. Doing nothing will not address these challenges.

## **PART 3**

### **Closure of schools and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013**

There is a defined statutory process in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 which must be followed before making a decision on the closure of a maintained school. This is supplemented by further guidance on the process published by the Department for Education.

There are five stages to the statutory process which must be followed:

#### **Consultation**

The publication of this consultation document marks a period of consultation during which the views of interested parties are sought and which will be considered by the local authority.

#### **Publication**

Dependent upon the outcome of the consultation, the local authority will decide whether or not to publish statutory notices regarding the proposed closure.

#### **Representation**

The representation period starts on the date of publication of the statutory notice and must last for a period of four weeks. During this period, any person or organisation can submit comments on the proposal to the local authority, to be taken into account before a final decision is taken.

#### **Decision**

Within two months of the end of the representation period the local authority must make a decision on the proposal.

#### **Implementation**

If the proposal is approved, Broad Oak Community Primary School would close on 31 August 2020.

### **Rural schools and the presumption against closure**

The local authority acknowledges 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 in the best interests of educational provision in the area. There are a number of factors set out in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 that must be taken into account when proposing to close a rural primary school; the local authority has had regard to these and will continue to take them into account during the consultation process.

### **Equality Impact Assessment**

The local authority is required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 (the Public Sector Equality Duty, 'PSED') in determining these proposals. An Equality Impact Assessment will be undertaken as part of the consultation process to identify the equality implications of this proposal and any appropriate mitigation.

# PART 4

## The consultation and decision making process

### Timescale

<b>5 July to 11 October 2019</b>	<b>Stage one</b> – consultation
<b>December 2019</b>	East Sussex County Council’s Cabinet will consider the results of the consultation and decide whether to publish a statutory notice on a proposal to close Broad Oak Community Primary School
<b>If required:</b>	
<b>January 2020</b>	<b>Stage two</b> – publication of statutory notice
<b>January to February 2020</b>	<b>Stage three</b> – representation period (four weeks)
<b>March 2020</b>	<b>Stage four</b> – final decision by Cabinet
<b>31 August 2020</b>	<b>Stage five</b> – implementation (closure) if approved

### Who we will consult

The local authority is consulting with pupils, parents and carers, staff, the governing board, other local schools and trade unions. We are also consulting with a wide range of other groups and organisations including early years providers, the district and parish councils, the local MP, the Church of England and Catholic dioceses and the wider local community.

### How to share your views

The consultation runs from 5 July to 11 October 2019. You can share your views by:

- Completing the online questionnaire
- Printing and completing a hard copy of the questionnaire and posting it to: **School Consultations, Standards and Learning Effectiveness Service, Children’s Services Department, East Sussex County Council, East G, County Hall, St Anne’s Crescent, Lewes BN7 1UE**
- Emailing the Council at: [school.consultations@eastsussex.gov.uk](mailto:school.consultations@eastsussex.gov.uk)
- Attending a consultation event at **Broad Oak Village Hall, Burwash Road, Broad Oak, Heathfield TN21 8SS on Monday 15 July 2019 from 6.30pm to 8.00pm.**

### Please submit only one response per person to this consultation

This consultation forms stage one of the process required when a school closure is proposed. The information provided in this document, and at the consultation event, is intended to be sufficient for people to form a view on the proposal. The local authority will consider views and concerns raised during the consultation period before making a decision on whether to proceed with the proposal.

Due to the volume of responses we receive when consulting on school proposals, we will not be able to acknowledge written responses or enter into correspondence with interested parties during or after the consultation period. A list of frequently asked questions will be made available to view online and will be updated throughout the consultation period.

**Thank you**

# Consultation response form

Please submit only one form per person.

**Q1. We are proposing to close Broad Oak Community Primary School on 31 August 2020. Do you agree or disagree with this proposal? (please select only one)**

- |  |  |
|--|--|
| <input type="checkbox"/> Strongly agree            | <input type="checkbox"/> Disagree          |
| <input type="checkbox"/> Agree                     | <input type="checkbox"/> Strongly disagree |
| <input type="checkbox"/> Neither agree or disagree |  |

**Q2. If Broad Oak Community Primary School was to close, how would this directly impact on you and your family?**

**Q3. Please let us know if you have any alternative suggestions on how we should address the significant challenges the school faces, as set out in the document.**

**Q4. Are you a...? (please select only one)**

- Pupil at Broad Oak Community Primary School
- Parent / carer of a child at Broad Oak Community Primary School
- Parent / carer of a child at another school
- Member of staff at Broad Oak Community Primary School
- Governor of the Woodland Federation
- Other (please say)

## About you

You don't have to answer the questions in this section, but it will help us to make sure that everyone is treated fairly and equally if you do. Your information will only be used and reported anonymously to support the consultation, engagement or feedback activity you are taking part in. We will keep your individual information for a period of up to five years and we won't keep it any longer than is necessary. Please get in touch with the named contact for this activity if you would like more information. Read the full privacy notice here:

[www.eastsussex.gov.uk/privacy/about-you-survey/](http://www.eastsussex.gov.uk/privacy/about-you-survey/)

**Q5. Are you.....?**  Male  Female  Prefer not to say

**Q6. Do you identify as a transgender or trans person?**  Yes  No  Prefer not to say

**Q7. How old are you?**   Prefer not to say

**Q8. What is your postcode?**   Prefer not to say

**Q9. 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"/>	<b>Prefer not to say</b>
<input type="checkbox"/>	Other*	<input type="checkbox"/>	<b>Arab</b>	<input type="checkbox"/>	<b>Chinese</b>	<input type="checkbox"/>	<b>*Other Ethnic Group</b> If your ethnic group was not specified in the list please describe your ethnic group:

## About you

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.

**Q10. Do you consider yourself to be disabled as set out in the Equality Act 2010?**

Yes  No  Prefer not to say

**Q11. If you answered yes to Q10, 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.

<input type="checkbox"/>	Physical impairment	<input type="checkbox"/>	Mental health condition
<input type="checkbox"/>	Sensory impairment (hearing and sight)	<input type="checkbox"/>	Learning disability
<input type="checkbox"/>	Long standing illness or health condition, such as cancer, HIV, heart disease, diabetes or epilepsy		
<input type="checkbox"/>	Other, please specify:	<input type="checkbox"/>	Prefer not to say

**Q12. Do you regard yourself as belonging to any particular religion or belief?**

Yes  No  Prefer not to say

**Q13. If you answered yes to Q12 which one?**

<input type="checkbox"/>	Christian	<input type="checkbox"/>	Hindu	<input type="checkbox"/>	Muslim	<input type="checkbox"/>	Any other religion, please specify:
<input type="checkbox"/>	Buddhist	<input type="checkbox"/>	Jewish	<input type="checkbox"/>	Sikh		

**Q14. Are you.....?**

<input type="checkbox"/>	Bi/Bisexual	<input type="checkbox"/>	Gay woman/ Lesbian	<input type="checkbox"/>	Other
<input type="checkbox"/>	Heterosexual/ Straight	<input type="checkbox"/>	Gay Man	<input type="checkbox"/>	Prefer not to say

**Q15. Are you currently pregnant or have you been pregnant in the last year?**

Yes  No  Prefer not to say

**Q16. If you are over 16, are you married or in a civil partnership?**

Yes  No  Prefer not to say

Thank you for providing this information.

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# Proposal to close Broad Oak Community Primary School

## Questions and Answers

### Consultation process

**Q. Is this really a consultation process or is it a done deal?**

**Is the consultation process open, fair and non-presumptive? Who is responsible for making sure that any consultation process regarding the school you want to close will be fair and credible – how will we know the process is fair?**

A. This is a genuine consultation and we want to hear your views. No decision has been made yet. All responses received during the consultation process will be considered before a decision is made on whether to proceed with the statutory process to close the school. The consultation provides the opportunity to make sure nothing has been missed and see if there is an alternative option that could be considered that places the school in a secure, viable position.

The local authority has a duty to follow a prescribed process when consulting on the closure of a school. Under Section 15 of the Education and Inspections Act (EIA) 2006 a local authority can propose the closure of all categories of maintained school. In doing so a local authority must follow a statutory process set out in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 before making a decision on the closure of a maintained school. There are five stages to the statutory process which must be followed:

- Consultation  
The publication of the consultation document on 5 July 2019 marks a period of consultation during which the views of interested parties are being sought and which will be considered by the local authority. The consultation period lasts until 11 October 2019.
- Publication  
Dependent upon the outcome of the consultation, the local authority will decide whether or not to publish statutory notices regarding the proposed closure.
- Representation  
The representation period starts on the date of publication of the statutory notice and must last for a period of four weeks. During this period any person or organisation can submit comments on the proposal to the local authority which would be taken into account before a final decision is taken.
- Decision  
Within two months of the end of the representation period the local authority must make a decision on the proposal.
- Implementation  
If the proposal is approved, Broad Oak Community Primary School (Broad Oak) would close on 31 August 2020.

The local authority acknowledges 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 in the best interests of educational provision in the area. There are a number of factors set out in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 that must be taken into account when proposing to close a rural primary school; the local authority has had regard to these and will continue to take them into account during the consultation process.

As set out above, the local authority will consult with interested parties in accordance with Section 16(1) of the EIA 2006. All responses received during the consultation period will be shared with Cabinet colleagues who will consider the outcome of the consultation and decide whether to proceed with the statutory process to close Broad Oak.

**Q. Who is the East Sussex County Council Cabinet and will they make the closure decision?**

A. The East Sussex County Council (ESCC) constitution allows for either the Cabinet or the Lead Member to make the decision; the Lead Member for Education and Inclusion, Special Educational Needs and Disability is Councillor Bob Standley. Cabinet is made up of the Leader of the Council and seven Lead Members, one for each service. For more information on ESCC Councillors and committee membership visit ESCC [‘Your Council’](#).

**Q. What happens between the December and March dates?**

A. If a decision is taken in December to proceed with the statutory process to close the school, a statutory notice would be published in early January 2020. This would trigger a four week representation period when interested parties can object to or comment on the proposal. At the end of the representation period the local authority has two months to make a final decision on whether or not to close the school.

**Q. Why didn’t you start the process earlier with an informal consultation?**

A. This is in effect an informal consultation. Should a decision be made to publish statutory notices the subsequent representation period would be considered a formal consultation. We engaged with schools earlier in the year through the area review process. If we had consulted with interested parties at that stage it would have had the same effect as the present consultation.

**Q. Why was the timing of the consultation changed to run over the school holidays?**

A. The consultation period was originally intended to run from 5 July to 27 September 2019. We have extended the consultation period by a further two weeks to reflect the school holiday. This provides interested parties with eight weeks of term time rather than the minimum recommended six weeks to engage in the process and for alternatives to be considered.

**Q. Will you give the pupils a chance to have their say about the consultation?**

**How will you ensure that an equal voice is given to those SEN and autistic children?**

A. We will arrange to come and speak to pupils at the school in September to ensure they have a voice. We will be mindful of any additional needs the pupils may have, particularly in relation to their mental health and wellbeing.

## Finance and budgets

**Q. What is the potential impact of the government’s recent funding announcement for schools?**

A: The government recently announced that in 2020/21 there would be 4% increase in a number of school funding rates (compared to 2019/20) that form part of a school’s budget share. While we await more information from the DfE on the detail, an initial analysis by the Council of the potential impact on Broad Oak Community Primary School suggests that the school could see an increase in its budget share of approximately £4,000 in 2020/21. These estimates have been based on the current funded pupil numbers and do not take into account any fluctuation in these numbers. Therefore, these estimates will be subject to change when the 2020/21 budgets are calculated.

**Q. Is this proposal merely about saving money, does closing the school save money for the Council?**

**If Council cuts are not involved then why close the school?**

A. The amount the local authority receives for schools funding is calculated by applying the Government's National Funding Formula (NFF) to each school in the county. Funding comes from the DfE via the Dedicated Schools Grant (DSG). Schools funding is not linked to the Council's revenue budget and the proposals are not driven by the Council making financial savings. We have been working closely with Broad Oak to try to address its budget challenges and have provided the school with additional funding in recent years.

Budget deficits are expected to be recouped from future year's school budgets. It is difficult to see how the predicted budget deficit at Broad Oak would be recouped as there is no scope for the school to cover its current costs and operate within its means. If the school does not address its predicted budget deficit, the money could only be found from the overall resources allocated to schools, which would reduce the budgets of other schools.

The staffing budget in 2021/22 far exceeds the total budget share and is simply not sustainable. The budget is generated by the number of pupils on roll; the challenge for the school is about low pupil numbers. Without a significant upturn in pupil numbers it is difficult to see how the position can be reversed.

**Q. How many schools will be in deficit in 2019/20?**

A. Two. One of these schools has submitted a recovery plan showing that the school will recover the deficit it is forecasting in 2019/20 and will have a balanced budget in future years. The other is Fletching CE Primary School which is unable to demonstrate recovery and is also subject to a closure consultation.

**Q. Why have you encouraged the school to recruit a School Business Manager one year and then later encouraged the School Business Manager to leave?**

A. Staffing decisions are made by the headteacher and governing board; whilst the local authority might provide advice and insight into what has worked in other schools and federations, the business plan and suitability of any reorganisation must be built on these decisions. Every school is different and decisions about the exact staffing requirements can only be made and managed by the headteacher and governing board. Sharing staff across schools is a major benefit for many federations and the School Business Manager role works very well as a shared role but has to work financially in the context of the school's other staff requirements. When funding levels drop significantly, as in the case of Broad Oak, all roles above the statutory minimum need to be reviewed. The school has recently undertaken such a review and identified savings that can be made from September 2019; these savings have already been taken account of in the budget plans for 2020-21 and 2021-22.

**Q. Why don't you wait until the school actually goes into deficit?**

A. Schools are required to be able to demonstrate financial sustainability. A deficit in one year reduces the amount of money available to the school in future years which increases the pressure on managing an already challenging budget position. In East Sussex we work with schools where future risks are identified to ensure actions are taken to prevent deficits and secure sustainability. The three year planning process allows future risks to be identified in advance. It is usual that changes are identified and deficits avoided or recovered. We have been going through this process with Broad Oak for some time. It has not been possible to identify any further actions that could be taken to avoid or recover the forecast deficits. Where this deficit cannot be recovered in future years this pressure must be met from within the funding allocated to all East Sussex schools, this would reduce the money available to other schools. It is therefore in the interest of all schools that unrecoverable deficits are avoided or minimised wherever possible.

## Education provision including for SEN pupils

**Q. What type of education will my child receive in a school that is closing?**

A. The school would remain open until the proposed closure date and will continue to offer education and support to the pupils and their families in their care. The local authority would work with the school to support the transition of pupils to their new school. We recognise that this is a difficult and upsetting time for pupils and parents/carers.

**Q. The number of SEN children at Broad Oak is high and other schools cannot compare in terms of facilities provided. What can you tell parents who believe this is a special school which deserves every support it can get?**

**Why do your figures not show the profiles of children at Broad Oak with complex needs? Why have you not looked at attainment data? Why have you not accounted for the nine SEN children who make up some 10% of the school's population and previous SEN children who have successfully made the transition to secondary education through the efforts of this school? Why have you not considered the devastating effect on the families of these SEN children who have had nothing but praise for the achievements of this school? Why have you not taken into account the cost of putting in place revised two-year plans for these SEN children?**

A. We do not under-estimate the impact Broad Oak has on its pupils with SEN. However, Broad Oak is a mainstream school and all mainstream schools are required to meet the individual needs of all their pupils, including those with SEN. We recognise that the school has an above average number of pupils with SEN and this will be considered as part of the consultation.

Schools want all pupils to thrive and have access to a range of support to help with their needs. This would be the case for pupils moving from Broad Oak. Resource is provided within a school's budget for additional needs. The needs are identified in relation to what is required in addition or what adjustments need to be made for the pupil to make good progress. Where pupils have an Education Health and Care Plan (EHCP) the additional funding would follow the pupil to their next school.

**Q. Broad Oak has a specialist care suite for SEN and children with other disabilities, there is no other school in the area with a similar facility and the one school that does will not accept a child without an EHCP which the Council has made virtually impossible to obtain; what will you do?**

A. Four schools in the local area have specialist care suites. The local authority will ensure that suitable facilities are available to support the pupils that require access to special facilities. Where schools have vacant spaces they cannot reject pupils with additional needs but no EHCP.

## Consultation meeting presentation

**Q. The picture you have presented is very dark and demoralising; why does it not show what the school has achieved and in particular for its disadvantaged children?**

**You paint a negative picture of Broad Oak, the challenges it faced were under the previous management, and the new management team needs to be shown more faith.**

**Your presentation is totally negative with no positive points whatsoever which leads this audience to believe that the Council, who own the school land, intends to sell it off to add income to their budget.**

A. The data we shared provides the facts and background to why we are consulting. The data shows a very challenging picture for the school; it would have been wrong of us not to share the information with you. The decision to go to consultation was arrived at after working closely with the governing board to find a solution to the significant budget challenges the school faces; none of us have been able to see a viable solution. There is no consideration of land ownership or the future of the site when considering the matter of the school's viability.

**Q. Your presentation showed lots of facts and figures, why haven't you shown the numbers of children who have transferred in to this school because parents have discovered that it provides a good, nurturing environment for their children?**

A. It is important that interested parties are aware of the facts and figures behind the decision to consult on closure. We acknowledge that pupil numbers can fluctuate throughout an academic year as pupils leave or join the school. It is important to use data from an official data source taken on the same day for every school; using the official school census data released by the Department for Education (DfE) three times a year, we can see there was a net increase of only one pupil (from 82 to 83) at the school during the course of the 2018/19 academic year.

## School outcomes and support provided to schools

**Q. Have senior officers/Councillors visited the school?**

A. Clear objective criteria have been used to assess all schools in the review in order to draw up the recommendations for closure, as listed below. As you would expect, decisions are not made on the basis of officer and Councillor visits.

- Quality of provision and outcomes for pupils
- School leadership
- Federations and collaborations
- Financial viability
- Pupil numbers and the level of surplus places
- Location of schools in relation to local pupil numbers
- Parental preference for schools
- Premises

## Data sources and housing

**Q. Where do you get your population forecast statistics from? There are inconsistencies in your population forecasts for this area.**

A. Short term pupil forecasts are based on actual GP registration data and Office for National Statistics (ONS) live birth data relating to children already born. The local authority's longer term pupil forecasts are derived from its population forecasting model (Pop Group Model). Each spring the five local planning authorities provide the local authority with updated housing projections and trajectories for each parish or ward in their District / Borough. This data is used to update the dwelling led population projections which appear on East Sussex in Figures (ESiF) and the Pop Group Model which generates these projections is used to derive local estimates of future births in the absence of GP registration and live birth data. This data is used to forecast longer term pupil numbers.

**Q. What does pupil movement mean?**

A. This is the movement of pupils between schools and community areas (mobility).

**Q. You have set out the average birth rate, but have you looked at mobility which would increase numbers, or the possibility that new families will move into the area (have you considered the death rate?). There are other schools with lower results than Broad Oak. Yes, there was a decline in pupil numbers after two RI Ofsted inspections, but there has been a change in Head of School and the school is steadily improving. If allowed, then pupil numbers could build up over time.**

A. Pupil numbers at Broad Oak have been falling since 2014/15. In the last two intake years only seven reception age children have accepted a place at the school (two in 2018/19 and five in 2019/20). This reflects a change in mobility from outside the area, with fewer parents from other areas stating a first preference for the school. Our pupil forecasts allow for inward and outward migration and there is no evidence that pupil numbers will increase to a level where the school is viable.

**Q. The birth rate figures you predict do not match up and you are not taking into account housing developments. Is there planning permission for houses to be built in Broad Oak?**

**Wealden District Council predicts an 18% increase in housing and the building contractor has since predictably changed the mix to more four and five-bedroom houses; have you taken this into account alongside the traffic chaos in Heathfield during rush hour, the associated carbon cost and the fact that a school, whose numbers you want to increase, has already posted details of its parking crisis?**

**East Sussex Children's Services have said that the population of the Heathfield area will not increase significantly for 10 years, while ESCC Open Data Policy shows an estimated population increase of 18.6% from 2017-2032, rising every year.**

A. Wealden District Council's (WDC) most recent housing update was provided in spring 2019 and showed that just short of 600 homes are planned in Heathfield and Waldron Parish during the Wealden Local Plan period between 2018/19 and 2027/28. Within this total the Wealden Local Plan set a windfall allowance of 50 dwellings for the village of Broad Oak over the same period.

Our published pupil yields from new housing are provided in the table below.

<b>Pupil yield per new dwelling by property type and size</b>	Houses 2 bed+	Flats 2 bed+	Houses / flats 1 bed
Primary school	0.25	0.0375	0.00

Taking these pupil yields into account and assuming all new homes are houses with two bedrooms or more, in Heathfield and Waldron Parish as a whole we estimate 150 additional primary age children would be generated from new homes over a 10 year period. The housing specifically in the Broad Oak community area would, over the same period, generate an estimated 12 to 13 additional children. The demand for places will therefore be in Heathfield rather than in Broad Oak. Our pupil forecasts take account of these housing figures and the likely demand for school places they will generate.

**Q. You gave an incorrect number of pupils attending Broad Oak School at the Lead Member meeting on 24 June – we have 84 children on the role, and you advised Cllr Standley that it was 81 and this is the number in your consultation plan?**

A. Data used to inform the report to the Lead Member was taken from the January 2019 School Census which showed there were 81 pupils on roll at Broad Oak. The census, which happens three times each academic year, is a statistical publication. We acknowledge that there are 84 pupils currently on roll at the school but, as pupil numbers fluctuate throughout an academic year; we use data from an official data source taken on the same day for every school to ensure consistency.

**Q. Broad Oak is a well-respected school in this area producing children who confidently move on to secondary school; Horam is seeing a further 700 homes being built which is placing pressure on Maynards Green whilst many schools in this area have low numbers so why base the decision on numbers?**

A. The local authority must ensure there is sufficient provision locally to meet the need for places. Broad Oak is over three miles from Horam. If Horam children could only access Broad Oak because there were insufficient places locally, the local authority would have to fund home to school transport for those children.

## School places

**Q. Are places available in other schools? / You say there are spare places in local schools but I have contacted local schools and they have said they are full?**

**Broad Oak has a good, positive environment as evidenced by the number of e-mails received from parents who cannot face the change and have already established that there are not enough places in other schools, reporting that in some schools there are already 34 in a class. Additionally, several Heathfield based parents have moved their children to Broad Oak because of the overcrowding.**

A. There are currently surplus places in most schools in the local area, although Maynards Green Community Primary School and Parkside Community Primary School are currently full in every year group.

Pupil numbers fluctuate throughout an academic year as pupils join and leave schools. For this reason we recommend you contact the admissions team to check which schools have spare places. The team can be contacted on 0300 330 9472.

**Q. Does Cross in Hand School have, within its existing framework, capacity for additional pupil admissions? Have you considered opening additional classrooms and increasing the PAN?**

A. Cross-in-Hand CE Primary School is a two form entry primary school with a published admission number (PAN) of 60 in each year group, and is therefore expected to accommodate 60 pupils in each year group. The school currently has capacity in every year group.

When a school is undersubscribed the leadership often reorganises classes to ensure they make the best use of their limited resources, however the number of pupils the school is expected to accommodate remains the same.

There are sufficient places within the local area without the need for any schools to go over its PAN and open additional classes.

**Q. Two separate families each with three children viewed the school recently and even though the school is improving, announcing the consultation process has effectively stopped them coming to the school. How many second choices did Broad Oak receive?**

**Will parents take the risk now knowing of the possible closure?  
If you are putting second and third preference children into other schools then why not into Broad Oak?**

A. It is encouraging that families wish to be shown round the school. Unfortunately that does not necessarily mean they will join the school. Our experience tells us that parents will look round a number of schools before making a decision about which one to apply for.

Broad Oak had five first preferences, four second preferences and a third preference for September 2019. Five first preferences were allocated a place. The school received no second or third preferences.

Each school has a set of admissions criteria to rank children in the order they will be offered places if a school attracts more applications than places. As all preferences have to be treated equally, this could mean that some places are allocated to second and third preference applicants, whilst first preferences are refused because they have a lower priority in the criteria.

The relevant criteria are applied individually to each preference. If a child meets the criteria for a place at more than one of the schools named on an application, their highest ranked school will be offered.

If a child meets the criteria for a place at only one of their preferred schools then that school will be allocated. If none of the schools named on the application can be offered, a place will be allocated at the nearest school to the child's home with a place available. Only one school place per child is offered on the allocation day.

**Q. What have you done to bring in more pupils to Broad Oak?**

A. The school is promoted along with all schools in the admissions booklet. It is for individual schools to promote themselves locally.

**Q. The surplus places do not count when looked at by parents. There is a school in the area which has a PAN of 60 but only has 34 first preferences because it is unpopular. The PAN system is antiquated – why can't it be changed?**

A. PANs reflect a school's size based on its accommodation and floor space. Reducing PANs in Heathfield schools would remove local places for local children and make for inefficient use of space. If Heathfield children could only access Broad Oak because there were insufficient places locally, the local authority would have to fund home to school transport for those children. This is not a sustainable strategy for the area.

**Q. If there are so many places available, why are you building a new primary school at Hellingly?**

A. Developers would expect provision to be made in the area local to their development, this helps to promote their new homes. The local authority must ensure there is sufficient provision locally to meet demand for places. Broad Oak is over eight miles from the Park Road development which includes the new school. If Hailsham children could only access Broad Oak because there were insufficient places locally, the local authority would have to fund home to school transport for those children.

## Other schools

**Q. Why aren't you closing Five Ashes?**

A. The school's budget is balanced and there are no surplus places. Plans are in place for the school to form part of a four school federation from September 2019 that presents further opportunities for the school's viability.

**Q. Why aren't you closing other small schools? / Why aren't you taking action to close schools in the other review areas? What are the 'other actions that have been identified to reduce capacity and address viability'?**

A. Clear objective criteria has been used to inform decisions (as listed below), the same criteria has been used to assess the situation of all schools.

- Quality of provision and outcomes for pupils
- School leadership
- Federations and collaborations
- Financial viability
- Pupil numbers and the level of surplus places
- Location of schools in relation to local pupil numbers
- Parental choice for schools
- Premises

**Q. How many schools proposed for closure have come up with acceptable solutions? What were the reasons for the last school closing, was it after consultation or other reason?**

A. In the last five years only two schools have been proposed for closure and neither could formulate a plan to avoid it, despite one school being given extra time to find an alternative solution.

The Rodmell CE Primary School governing board was invited to come forward with alternative solutions to closure but could not; the local authority tried to broker a partnership but there was no interest from other schools. The school looked into partnership again after consultation but there was still no interest and, despite a passionate bid to keep the school open, no viable alternative plan to closure could be found.

**Q. Broad Oak is one of the very few community schools in the county; by closing it you are forcing parents to look at faith schools – isn't this removing their freedom of choice?**

A. There are 45 community primary schools in East Sussex, three of which are local to Broad Oak.

## Federation

**Q. Broad Oak is in a federation; couldn't more schools join to ease the situation?**

**Why have you said that closing Broad Oak means that the federation will be stronger and more viable with two schools than it currently is with three?**

**If you remove Broad Oak from the three-school federation what will happen to the other two? And what percentage of East Sussex schools will also be in deficit in two- and three-years' time?**

A. The Punnetts Town Community Primary School and Dallington CE Primary School budget plans indicate that these schools are more financially viable in their own right. The two schools would need to absorb costs that are currently shared with Broad Oak; these costs assume currently planned structures. With some further adjustments this impact could be reduced but it is clear overall that further options would need to be pursued to address long term viability of the federation. However, even with no further action, the potential deficit that the two-school federation would be facing by year three would be significantly lower (in the region of £70k) than the £223k currently forecast across the federation. This position will give the federation more opportunity to explore further collaboration options to help secure a viable future, but not if those schools cost significantly more to run than the income they can generate from pupil intake which is the

challenge Broad Oak faces. Without Broad Oak the federation is in a stronger position to further expand with other schools that are viable in their own right.

15% of schools are forecasting a deficit in year two of their plans and 51% in year three. It is a common pattern to see a declining picture in a three year planning period. The size of deficit and scope for addressing it will inform the actual assessment of risk for individual schools. Plans submitted can vary greatly in approach; some will factor in all potential decisions that could be made to ensure a balanced budget, to demonstrate how resources can be managed. Some plans will forecast forward with current structures with no significant changes, this will highlight issues that need to be addressed. Often a plan with a year two or year three deficit is a catalyst to investigate options to ensure the deficit is avoided.

Broad Oak has been in this position for a number of years foreseeing a budget deficit. Significant changes have been made and further potential savings are now built into plans, however the school is still unable to submit a balanced plan and unable to identify any further savings. This highlights the predicted deficit as being a high risk.

## Options to closure

**Q. What difference could be made at this stage that would keep the school open?**

A. All options would be very welcome and considered carefully. Any potential solution must reduce the predicted budget deficit of approximately £74,000 in 2020/21 and £203,000 in 2021/22 and secure the school's financial viability. If we have missed something in our analysis which might change the situation please let us know.

**Q. Have you done a wider impact assessment which takes account of proposals from the governing board and the effects on the staff and children rather than just the finances?**

A. The local authority has spent a lot of time working with the governing board looking at budgets, plans and staff restructuring to keep within budget. The governing board was asked to come up with other plans that would achieve this, but could not submit a plan which avoids deficits in 202/21 and 2021/22.

## Impact on the community

**Q. What about the impact of the school closing on the community?**

**Apart from the school, the village has just one shop and a village hall with the pre-school, have you considered the wider picture where, after the school closes the pre-school will close leading to the village hall closing and the death of the community?**

A. A full Equality Impact Assessment will be undertaken as part of the consultation and decision making process to identify the equality implications of this proposal and any appropriate mitigation.

Broad Oak Pre-school has confirmed that for September 2019, children leaving the pre-school are feeding into nine primary schools; only two are going to Broad Oak. In the previous 5/6 years very few children from Broad Oak have attended their local pre-school; in order to be viable the pre-school has marketed its offer to a much wider area to attract families.

## Admissions and home to school transport

**Q. The local authority has a duty of care – why are you denying parents their choice?**

A. Parents do not have the right to choose a school for their child; they have the right to state a preference for the school they would like their child to attend.

Broad Oak is no longer the school of preference for parents. In the last two intake years only seven reception age children have accepted a place at the school (two in 2018/19 and five in 2019/20). Based on these numbers the school is not sustainable.

**Q. If you use a proper distance calculating tool then it shows an extra 20,000 miles of journeys per year, did you simply measure in straight lines? What guarantee will there be for reliable/free transport to other schools?**

A. Free home to school transport would only be provided for eligible pupils who meet the criteria set out in the link below. From our initial analysis we believe the majority of pupils on roll at Broad Oak would have a shorter distance to travel to their nearest alternative school and would therefore not be eligible. At this stage the data tells us that fewer than ten pupils might qualify for home to school transport. The impact of any free home to school transport on the local authority's transport budget is expected to be minimal as there is already transport provision in place to a number of alternative schools. The criteria can be found on the East Sussex website at: <https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

In summary, we will provide free transport between home and school if your child is eight years of age or over and lives more than three miles (4,828 metres) from the designated\* school, or two miles (3,218 metres) if your child is under eight years of age. Distances are measured by the shortest available walking route using our Geographical Information System (GIS).

\* The designated school is the school suitable to your child which serves your area, or if there is more than one school, the nearest suitable school to your home where a place is available.

For information on whether your child/ren would qualify for home to school transport please contact the admissions team on 0300 330 9472.

The effect of the proposal on travel and accessibility will be considered as part of the statutory consultation process.

If the route to the new school is deemed unsafe then your child would automatically qualify for help with transport and the likelihood is that there is already a vehicle running to the school which picks up other passengers. This has been factored in to the initial analysis detailed in the body of the consultation.

## The Diocese of Chichester

**Q. Why has the Diocese been involved and is quoted in the Broad Oak Community Primary School proposals?**

A. The Diocese of Chichester, as a key partner in education provision in East Sussex, has been fully involved in the reviews of rural primary school provision. Of the 68 rural primary schools in East Sussex 49 are Church of England schools. The Woodland Federation includes a Church school, Dallington CE Primary School, and it is therefore appropriate for the Diocese to be involved in any proposals which could impact on the federation. The Diocese is not a formal decision maker in this proposal.

## Future of the school site

**Q. Are you going to build houses on the school site?**

A. If the school closes, the future use of the site would be a decision for the local authority as landowner. No consideration has been given at this stage to what might happen to the site should the school close.

**Q. Work by BT for 'fibre cabling through four existing underground structures for a new development site' is for a housing development on the school site, despite the Council saying no decision has been made.**

A. The local authority does not have full details of the work being carried out by BT, but can confirm that it is completely unrelated to the consultation on the proposed closure of Broad Oak. No decision has been made on the future of the school and we have not declared the site surplus to requirements.



## Equality Impact Assessment

Name of the proposal, project or service
<b>Proposed closure of Broad Oak Community Primary School</b>

File ref:	Broad Oak Community Primary School	Issue No:	1.0
Date of Issue:	November 2019 but assessment of impact is ongoing	Review date:	

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## **Part 1: The Public Sector Equality Duty and Equality Impact Assessments (EqIA)**

**1.1** The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EqIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

**1.2** This is one of two forms that the County Council uses for EqIAs, both of which are available on the intranet. This form is designed for any proposal, project or service. The other form looks at services or projects.

### **1.3 The Public Sector Equality Duty (PSED)**

The PSED is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (see below for “protected characteristics”)

These are sometimes called equality aims.

### **1.4 A “protected characteristic” is defined in the Act as:**

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

### **1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:**

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21<sup>st</sup> Century Families and Communities, 2008].
- Literacy/Numeracy Skills.
- Part time workers.
- Rurality.

## **1.6 Advancing equality (the second of the equality aims) involves:**

- Removing or minimising disadvantages suffered by people due to their protected characteristic.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

## **1.7 Guidance on Compliance with the PSED for officers and decision makers:**

1.7.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.7.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.7.3 *Some key points to note :*

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.
- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.7.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

## Part 2: Aims and implementation of the proposal, project or service

### 2.1 What is being assessed?

#### a) Proposal or name of the project or service.

Consultation on the proposed closure of Broad Oak Community Primary School

#### b) What is the main purpose or aims of the proposal, project or service?

The proposal is to close Broad Oak Community Primary School (Broad Oak) on 31 August 2020.

East Sussex County Council has a statutory duty to ensure there are sufficient school places for all children. The [School Organisation Plan 2019-2023](#) sets out the local authority's approach to the organisation and leadership arrangements of schools to maintain the efficiency and effectiveness of provision to ensure that all schools are well placed to deliver high quality education that meets the needs of their local community and makes best use of public funding.

The decision to consult on closure of Broad Oak was taken in the context of the local authority's review of rural primary school provision undertaken during the 2018/19 academic year and its statutory duty to ensure there are the right numbers of places in the right locations to meet local demand. The local authority also has to look more widely at the organisation of schools to ensure they are well placed to deliver a high quality education to their local community. The area review identified Broad Oak as being at risk of closure for the following reasons.

Broad Oak is a small, rural community primary school. The school is part of the Woodlands Federation with Punnetts Town Community Primary School and Dallington CE Primary School. The school has a published admission number (PAN) of 20 and capacity for 140 pupils (20 x 7 year groups). Information and evidence gathered during the area review of primary school places shows that the school has been under-subscribed in each of the last five years and pupil numbers fall significantly short of the school's PAN each year. The school was allocated 7 pupils for September 2019, at the time of writing only 5 are on roll. The 10-year average birth rate in the school's community area is less than 8 per annum (the school's PAN is 20). There is very little house building planned in the area to help grow the birth rate which means there is little in-area demand for places at the school.

At the May 2019 School Census Broad Oak had 83 pupils on roll, meaning there were 57 (41%) surplus places. Only 30 (44%) of the 68 children living in the Broad Oak community area at that time attended the school, which equated to only 36% of the school's number on roll. In comparison, 39% of the school's cohort lived in Heathfield where there are surplus places at schools a short distance away e.g. All Saints' and St Richard's CE Primary School and Cross-in-Hand CE Primary School (37% and 30% respectively in May 2019).

Pupil numbers at Broad Oak have since fallen to 52 (source: the school's pupil number return dated 18 October 2019) meaning there are now 88 (63%) surplus places. 13 Year 6 pupils left the school at the end of the last academic year to be replaced by 5 Reception pupils, a net reduction of 8 pupils. The local authority recognises that the consultation on closure has contributed to the further reduction in numbers.

The governing board's three-year budget plan, submitted in May 2019, showed the following budget position.

Financial year	End of year
2019/20	£0
2020/21	-£73,820 Deficit
2021/22	-£203,435 Deficit

Despite respondents referencing the budget deficit, no plans have been forthcoming from the governing board in terms of how the deficit can be addressed. At the time of writing the information on the Go Fund Me website indicates £720 has been raised of the school's £100,000 target. The school has already restructured to make savings by moving from four classes to three in September 2019. The governors have not identified where further savings could be made.

An interim estimate of the 2020/21 budget using the current pupil numbers and the new funding assumptions contained in the announcement from the government shows that, whereas the budget might have been between £370,000 and £375,000 based on pupil numbers built into the school's budget plan, the likelihood is that the budget could reduce to somewhere between £314,000 and £318,000 based on current numbers and will further increase the budget deficit. Governors were unable to provide a clear strategy to overcome the financial challenge prior to the consultation when pupil numbers were higher; the budget projection is now significantly worse making it even harder for governors to identify a viable solution.

Broad Oak last received an Ofsted rating of 'good' in 2011. At its last two Ofsted inspections in 2016 and 2018 the school was rated overall as requiring improvement. In 2018 the effectiveness of leadership and management, personal development, behaviour and welfare and early years provision were all rated good. However, quality of teaching, learning and assessment and outcomes for pupils were rated as requiring improvement resulting in the overall judgement of requires improvement.

The local authority has provided a range of support to the school in recent years for teaching and learning and leadership and management. The school also has a progress group in place which provides additional support and monitoring from the local authority.

Prior to 2016 when Broad Oak received the first of its two Requires Improvement judgements, pupil numbers were at or close to the school's capacity of 140. Between 2016 and 2019 numbers declined to 81. Since the start of the current academic year pupil numbers have fallen further to 52 as set out above.

A section 8 monitoring visit was undertaken at Broad Oak by Ofsted HMI on 8 October 2019, three days before the end of the consultation period. The monitoring inspection was carried out under section 8 of the Education Act 2005 and took place because the school had received two successive judgements of Requires Improvement at its previous section 5 inspections. The key findings of the inspection were that:

*'Senior leaders and governors are taking effective action to tackle the areas requiring improvement identified at the recent section 5 inspection in order for the school to become good.'*

*The school should take further action to:*

- *Continue to develop the school's curriculum to ensure that it is coherently planned and sequenced so that pupils are able to know more and remember more as they progress through the school*
- *Ensure that the recent improvements in the teaching of phonics are sustained so that there is a clear focus on ensuring that younger pupils promptly gain the phonics knowledge necessary to read well*
- *Maintain a sharp focus on continuing to improve teachers' subject knowledge to enhance the teaching of the curriculum.'*

The monitoring letter also noted the "Local Authority is providing effective support and challenge to Leaders and Governors to improve the school. Advisers from East Sussex Local Authority are following timely, focused support and guidance in all aspects of the school's work. Staff training, together with the school's involvement in specific local authority-led projects, is helping to improve the quality of education in the school."

All other schools in the Heathfield area are rated good or outstanding by Ofsted.

### c) Manager(s) and section or service responsible for completing the assessment

Gary Langford, Place Planning Manager, Standards and Learning Effectiveness Service. The Children's Services Senior Management Team has signed off the EqIA to this stage but the process of impact assessment will be ongoing. The Senior Management Team comprises the Director and Assistant Directors of the Children's Services Department.

### 2.2 Who is affected by the proposal, project or service? Who is it intended to benefit and how?

The proposal affects pupils on roll at Broad Oak and their families. Currently there are 52 pupils on roll, illustrated in the chart below.

#### Pupil numbers 2019/20

2019/20 pupil numbers	PAN	Capacity	2019/20 number on roll							Total
			Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	
Broad Oak Community Primary School	20	140	5	1	6	9	8	6	17	52

Source: School return dated 18 October 2019

The proposal also affects members of staff at Broad Oak. Should the school close, a formal consultation would begin with all members of staff, teaching and non-teaching, and trade union representatives in line with the local authority's Managing Change Policy. More information on this is provided in 2.3 below.

The local authority believes that the remaining schools in the Woodlands Federation – Punnetts Town Community Primary School (Punnetts Town) and Dallington CE Primary School (Dallington) – would be in a stronger position moving forward than they are with Broad Oak in the federation. Both school's budget plans indicate that they are more financially viable in their own right. In the event of closure, the two schools would need to absorb costs that are currently shared with Broad Oak; these costs assume currently planned structures and with some further adjustments this impact could be reduced, but it is clear overall that further options would need to be pursued to address long term viability of the federation. However, even with no further action, the potential deficit that the two-school federation would be facing by 2021/22 would be significantly lower (in the region of £70,000) than the £223,000 currently forecast across the federation (taken from the governors May 2019 budget plan). This position will give the federation more opportunity to explore further collaboration options to help secure a viable future, but not if those schools cost significantly more to run than the income they can generate from pupil intake which is the challenge Broad Oak faces. Without Broad Oak the federation would be in a stronger position to further expand with other schools that are viable in their own right.

Local schools should benefit from the proposal by reducing surplus places in the area and providing more certainty to the remaining schools about pupil numbers. The proposal should create a more sustainable network of schools in the local area thereby reducing the risk of more schools becoming unviable.

The local community is likely to be affected by the proposal. This will be addressed in a separate Community Impact Assessment appended to the Lead Member for Education and Inclusion, Special Educational Needs and Disability (the Lead Member) report.

### 2.3 How is, or will, the proposal, project or service be put into practice and who is, or will be, responsible for it?

The local authority is responsible for making a final decision on the proposal. In December 2019 the Lead Member will consider the outcome of the public consultation and decide whether or not to continue with the statutory process to close Broad Oak. If statutory proposals were published

for the closure of the school the local authority would determine the proposal (make a final decision on closure) in March 2020. If approved, the school would close on 31 August 2020.

The local authority would be responsible for overseeing the process of closing the school and would work closely with the school to implement closure, including supporting pupils during their final months at Broad Oak and in their transition to a new school. Parents and carers of children at the school would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their 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 local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would 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:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

On 4 November 2019 the Lead Member gave approval for the local authority to consult on a proposal to expand the Heathfield primary school's community area to encompass the area currently served by Broad Oak. This is to ensure that, should Broad Oak close, children living in the Broad Oak community area would be able to access a local school.

Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below. Latest analysis shows that of the 35 Reception to Year 5 pupils likely to be affected by the proposal, approximately 57% live nearer / the same distance to an alternative school, with approximately 43% living further away. The local authority currently estimates five pupils would be eligible for free home to school transport to their nearest alternative school. The cost to the local authority would be negligible as either the pupils are already in receipt of free home to school transport or arrangements are already in place to the alternative schools. The local authority acknowledges that some pupils living in Broad Oak and attending the school might face longer journeys to and from an alternative school each day. However, for many their nearest alternative school is within statutory walking distance.

It is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers and that, given the majority of pupils would be able to attend a school nearer to their home address it is unlikely there would be a noticeable increase in car usage. To the contrary, it would be hoped that car usage would reduce.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

Should the school close, a formal consultation would begin with members of staff at Broad Oak and their trade union representatives. The local authority would work alongside the school to ensure that all of the procedures for managing the change process, outlined in the local authority's Managing Change Policy are followed. All staff would be entitled to be considered for redeployment to a suitable alternative post within the local authority for centrally managed roles. For school based advertised vacancies, the local authority would liaise with East Sussex maintained schools regarding the availability of staff at risk of redundancy from 31 August 2020, to seek the agreement of a school with a suitable vacancy to participate in the redeployment process in order to fill the vacancy.

#### **2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?**

The Diocese of Chichester, as a key partner in education provision in East Sussex, has been fully involved in the reviews of rural primary school provision. Of the 68 rural primary schools in East Sussex 49 are Church of England schools. The Woodlands Federation includes a Church school, Dallington CE Primary School, and it is therefore appropriate for the Diocese to be involved in any proposals which could impact on the federation. The Diocese is not a formal decision maker in this proposal.

## **2.5 Is this proposal, project or service affected by legislation, legislative change, service review or strategic planning activity?**

Proposals for closure have to follow a prescribed process established by the Education and Inspections Act 2006 (EIA 2006) as updated by the Education Act 2011 and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013.

The DfE statutory guidance '*Opening and closing maintained schools*' updated in November 2019 (the guidance) states

*"Proposers should be aware that the Department expects all decision makers to adopt a presumption against the closure of rural schools. This doesn't mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area".*

The presumption against closure does not mean that rural schools cannot be closed by local authorities, but they have a duty to carefully consider the factors set out in the guidance when proposing to close a rural school. These factors are:

- 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. child care 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 local people and the 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.

Broad Oak is designated as a rural school under the Designation of Rural Primary Schools (England) Order 2018. The local authority has provided evidence in a separate document, appended to the Lead Member report, to show that it has carefully considered each of these factors.

## **2.6 How do people access or how are people referred to your proposal, project or service? Please explain fully.**

As referred to in 2.5 above, proposals for closure have to follow a prescribed process established by the Education and Inspections Act 2006 (EIA 2006) as updated by the Education Act 2011 and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013. In accordance with the prescribed process the local authority began a pre-publication consultation on the proposed closure of Broad Oak on 5 July 2019. There is no prescribed timeframe for consultation, but the Department for Education (DfE) recommends that it should last for a minimum of 6 weeks. The local authority acknowledged that the consultation period straddled the summer holiday and accordingly extended the consultation period to 11 October 2019, meaning there were a total of 14 weeks of consultation, of which 8 were during term time.

Consultation on the proposed closure of Broad Oak was widely publicised through the local authority's consultation hub, press releases and radio interviews. It was also published on the local authority's digital newsroom and shared on its corporate social media accounts. Hard copy and translated versions of the consultation document were available on request. Letters were

written to key stakeholders including pupils, parents and carers, staff, the governing board, other local schools and trade unions. The local authority also consulted with a wide range of other groups and organisations including early years providers, the district and parish councils, the local MP, the Church of England and Catholic dioceses and the wider local community.

Consultation meetings were held with staff, union representatives, parents and carers and the local community on 15 July 2019 to provide further information on the proposal and give interested parties the opportunity to ask questions. Notes were taken at both meetings and a Q&A document responding to key issues raised was produced and posted on the consultation hub for people to view. A significant number of questions and requests for information were received prior to the consultation formally opening. These were also addressed where possible through the Q&A on the consultation hub.

In addition, the local authority sought feedback directly from pupils through a pupil engagement session at the school on 16 September 2019 facilitated by two of the local authority's consultant headteachers.

A petition of 138 signatures was submitted before the end of the consultation period. A further petition on the local authority's [website](#) is ongoing. At the time of writing the petition has 1,230 signatures.

## **2.7 If there is a referral method how are people assessed to use the proposal, project or service? Please explain fully.**

n/a

## **2.8 How, when and where is your proposal, project or service provided? Please explain fully.**

The Lead Member report and appendices describe the rationale for consulting on the proposed closure of Broad Oak and how alternative arrangements would be made for pupils, families and staff affected by the proposal. The Lead Member must consider the outcome of the consultation before deciding whether to proceed with the statutory process to close the school.

As referred to in 2.5 above, the local authority must follow a prescribed process in proposing the closure of a school. It cannot shorten the process. The proposed date for closure of Broad Oak is 31 August 2020. If the school closes, the local authority has a legal obligation to educate any child that wishes to remain at the school until the proposed date of closure.

As referenced in 2.3 above, should Broad Oak close the local authority would be responsible for overseeing the process of closing the school. The local authority would work closely with the school to implement closure, including supporting pupils during their final months at Broad Oak and in their transition to a new school. Parents and carers of pupils at Broad Oak would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their 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 local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would be made in line with the admissions policy as set out in the school admissions booklet which is available on the local authority's website at:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

A formal consultation would begin with members of staff at Broad Oak and their trade union representatives. The local authority would work alongside the school to ensure that all of the procedures for managing the change process, outlined in the local authority's Managing Change Policy are followed. All staff would be entitled to be considered for redeployment to a suitable alternative post within the local authority for centrally managed roles. For school based advertised vacancies, the local authority would liaise with East Sussex maintained schools regarding the availability of staff at risk of redundancy from 31 August 2020, to seek the agreement of a school with a suitable vacancy to participate in the redeployment process in order to fill the vacancy.

## Part 3: Methodology, consultation, data and research used to determine impact on protected characteristics.

### 3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Types of evidence identified as relevant have X marked against them			
	Employee Monitoring Data		Staff Surveys
x	Service User Data		Contract/Supplier Monitoring Data
x	Recent Local Consultations	x	Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector
	Complaints		Risk Assessments
	Service User Surveys	x	Research Findings
x	Census Data	x	East Sussex Demographics
x	Previous Equality Impact Assessments	x	National Reports
x	Other organisations Equality Impact Assessments		Any other evidence?

### 3.2 Evidence of complaints against the proposal, project or service on grounds of discrimination.

All comments received during the consultation period have been reviewed in the context of completing this EqIA and making a recommendation to Cabinet about next steps. One response to the consultation referenced discrimination:

*'A parent should have a choice about which type of school they want their children to attend. If a parent is atheist, Jewish, Muslim or Roman Catholic, East Sussex County Council is taking away their rights to attend a non-religious educational establishment. It is discrimination'. This is addressed in section 4.7 of the report.*

Respondents to the consultation were asked to provide personal information, including information about protected and other characteristics, which was used to analyse responses. Some respondents chose not to provide personal information.

The consultation responses demonstrate that the majority of parents, pupils, staff, and the local community are against the proposed closure citing reasons such as the impact of the proposals on individual pupils and those with SEN; the impact of the proposals on the local community and loss of choice for parents wishing to send their child to a non-faith school. Concerns were also raised relating to the impact of the housing development in Heathfield area and the impact closure of the school would have on traffic, transport and the environment.

### 3.3 If you carried out any consultation or research on the proposal, project or service explain what consultation has been carried out.

The local authority undertook a review of rural primary school provision in East Sussex during the 2018/19 academic year. The principal focus of the review was the increasing number of rural schools with small and very small cohorts, the local demand for places at those schools and the effect this is having on their viability and capacity to offer a well-balanced, high quality curriculum that meets the needs of their local community and makes best use of public funding. The local authority is committed to working in close partnership with schools, the dioceses and key partners to ensure that the supply of school places across the county is in the right location, is of sufficient size, and is viable and of good quality.

In partnership with the Diocese of Chichester, the local authority reviewed 12 areas of the county containing a total of 62 rural schools. The areas were based largely on the former School Organisation Plan areas and the geography of schools.

The review took account of many variables which influence provision in an area. These include:

- the quality of provision and outcomes achieved for pupils;
- school leadership;
- federations and collaborations;
- financial viability;
- the level of surplus places in an area / school;
- the location of schools in relation to local pupil numbers;
- parental choice for schools; and
- premises.

Sustainability of schools is not just about financial viability but also the ability of schools to make appropriate provision and secure good outcomes for all pupils over time. Consideration of this was an important part of the area review process. The local authority's strategy of supporting schools into federations has helped strengthen a number of small schools; however federation does not provide an answer for all the financial challenges schools face.

Whilst the review was not driven by the need for the local authority to make financial savings, the need to ensure that schools can provide a financially viable, high quality education is very important and was one of the key considerations of the review. Notwithstanding this, there are cost implications for the local authority where schools are experiencing challenges in relation to sustainability. This involves additional activity undertaken by the local authority with regard to advice and guidance to school leaders and governors about restructuring, budgeting and class organisation to support schools in the short term. This type of support cannot be considered a long term strategy and there is a reputational risk to the local authority if appropriate action is not taken in a timely manner which is then required at a future date.

A number of rural schools have, or are predicted to have, significant surplus places (25% or more) and are facing real challenges in terms of their financial viability and their capacity to offer a well-balanced, high quality curriculum. Surplus places impact negatively on all sizes of schools in rural areas because it can lead to a fluctuation in pupil numbers.

Between January and March 2019 the local authority, in conjunction with the Diocese of Chichester, undertook a series of engagement sessions to share with schools data for their area and to hear about the challenges and opportunities schools face now and in the future. Every session was well attended by headteachers and governors, with only one school across the twelve areas not attending.

At each meeting the local authority presented data on pupil numbers, surplus places, pupil distribution, parental preferences, births and housing. The local authority also asked school colleagues to consider the strengths, challenges, opportunities and threats of being a rural school in their area. Some general themes came out of the analysis such as:

- strengths – centre of the community, caring and nurturing, knowing every family and child, strong links to the church and diocese;
- challenges – fluctuating pupil numbers, budget pressures, school buildings, staff workload (leadership of several subjects);
- opportunities – expansion of existing partnerships / federations, rationalisation of provision – fewer, more viable schools, sharing best practice, amalgamation of schools; and
- threats – high levels of Special Educational Needs pupils, the birth rate, staff and governor recruitment, doing nothing.

In addition to the feedback provided at the meeting, schools were given the opportunity to send written representations following the engagement sessions. Responses were received from 6 schools. In May 2019 the local authority and the Diocese of Chichester visited a small number of

schools for more detailed discussions about the challenges facing individual schools. Throughout the review schools were kept informed of progress through a number of Virtual Schoolbag updates during the 2018/19 academic year.

The local authority and the Diocese of Chichester considered feedback from the engagement sessions and from subsequent meetings with schools. A range of options were considered including changing PANs, potential mergers of two or more schools and reconfiguration of infant and junior phases across a number of schools. The local authority and the Diocese of Chichester concluded that in two areas – Heathfield and North Chailey – school closure proposals should be brought forward and this was approved by the Lead Member on 24 June 2019. For the remaining ten areas no school closures are required either because the total surplus capacity is within tolerable levels, none of the individual schools in the area have significant surplus places or because other actions have been identified that will reduce capacity and / or address viability in an area.

As referred to in section 2.6 above, the local authority undertook a pre-publication consultation on the proposed closure of Broad Oak between 5 July and 11 October 2019.

### 3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the proposal, project or service?

By the end of the consultation period a total of 293 responses had been received, 276 via the consultation hub and 17 by letter or email to the consultation inbox. A number of individuals also emailed elected members and officers separately and in some cases on more than one occasion. Some respondents chose to complete both the online response form and submit an email / letter response. All of the responses to the consultation are available for elected members to view in the Cabinet and Members’ rooms.

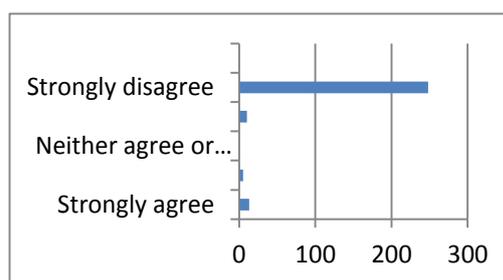
One response was received after the consultation period closed. This has not been taken into account in the analysis below.

A petition containing 138 signatures objecting to the proposed closure of Broad Oak was submitted before the end of the consultation period. A further petition on the [local authority’s website](#) is ongoing and closes on 31 December 2019. At the time of writing it contained 1,230 signatures.

Feedback was overwhelmingly in support of keeping the school open.

A summary of the 276 consultation hub responses is provided below.

Strongly agree	13	4.7%
Agree	5	1.8%
Neither agree or disagree	0	0.0%
Disagree	10	3.6%
Strongly disagree	248	89.9%
Not answered	0	0.0%
Total	276	



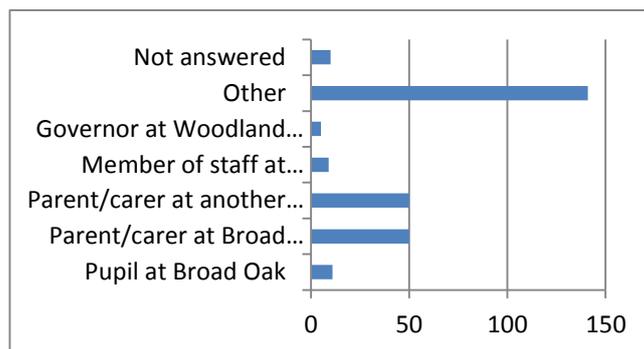
It would appear from the comments received that 7 of the 13 respondents who ticked ‘strongly agree’, identified in the table above, actually disagree with the proposal and simply ticked the wrong box. This would take the total number of objections to 265 or 96%. It is clear that respondents who chose to email and write letters also object to the proposal.

Respondents who agree that the school should close number 11 or 4% (reduced to take account of those that ticked the wrong box). Those in favour commented that closing the school would help to

secure other schools in the local area; that pupil's learning outcomes would be likely to improve at other schools and that Broad Oak is providing a poor quality of teaching and should close.

Respondents identified themselves as:

Pupil at Broad Oak	11	4.0%
Parent/carer at Broad Oak	50	18.1%
Parent/carer at another school	50	18.1%
Member of staff at Broad Oak	9	3.3%
Governor at Woodlands Federation	5	1.8%
Other	141	51.1%
Not answered	10	3.6%
Total	276	



The majority of respondents classified themselves as 'other'. Although not everyone that ticked 'other' gave details, at least 46 identified as members of the local community. 15 identified as relatives of staff and/or pupils at the school whilst 29 identified as past parents or past pupils of the school. 'Other' respondents also included, but were not limited to, a local headteacher, ex-members of staff, staff at other schools, friends of families at Broad Oak, a local GP and the Heathfield and Waldron Parish Council. The governing board of The Woodlands Federation did not submit a collective response.

In total, 70 online responses were received from pupils, parents and carers and members of staff at Broad Oak. There were also individual responses from five governors of the Woodlands Federation and the clerk to the governing board. It could therefore be said that at least 76 of the 276 respondents would be directly affected by the proposal. In addition, many local residents would argue that they too would be directly impacted as they see the school as the heart of the community.

## Part 4: Assessment of impact

### 4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

#### a) How is this protected characteristic reflected in the County/District/Borough?

The overall population in East Sussex has grown steadily in the last 10 years, rising from 519,197 in 2008 to 554,590 in 2018. In Wealden District the population has grown from 146,539 to 160,175 in the same period.

#### Population change (all ages) between 2001 and 2018

Year	Population 2008	Population 2018	Change	% change
East Sussex	519,197	554,590	+35,393	6.8%
Wealden District	146,539	160,175	+13,636	9.3%

Source: ONS Mid-year estimates 2018, East Sussex in Figures (ESiF)

By 2032 the population in East Sussex is projected to increase by 10% and by 18.6% in Wealden District.

#### Population projections (all ages) from 2017 to 2032

Year	Population 2017	Population 2032	Change 2018-2032	% change 2018-2032
East Sussex	552,259	607,473	+55,214	10.0%
Wealden District	158,941	188,473	+29,532	18.6%

Source: Population projections (dwelling led) 2017-2032 – districts, April 2019, ESiF

The picture for East Sussex as a whole is of an ageing county. The proportion of the population aged 65 and over is forecast to rise from 25.4% in 2017 to 32.1% in 2032. At the same time the proportion of 0-10 year olds in the county is projected to fall from 11.7% in 2017 to 10.4% in 2032. In Wealden District the proportion of 0-10 year olds is projected to fall from 11.5% in 2017 to 10.8% in 2032.

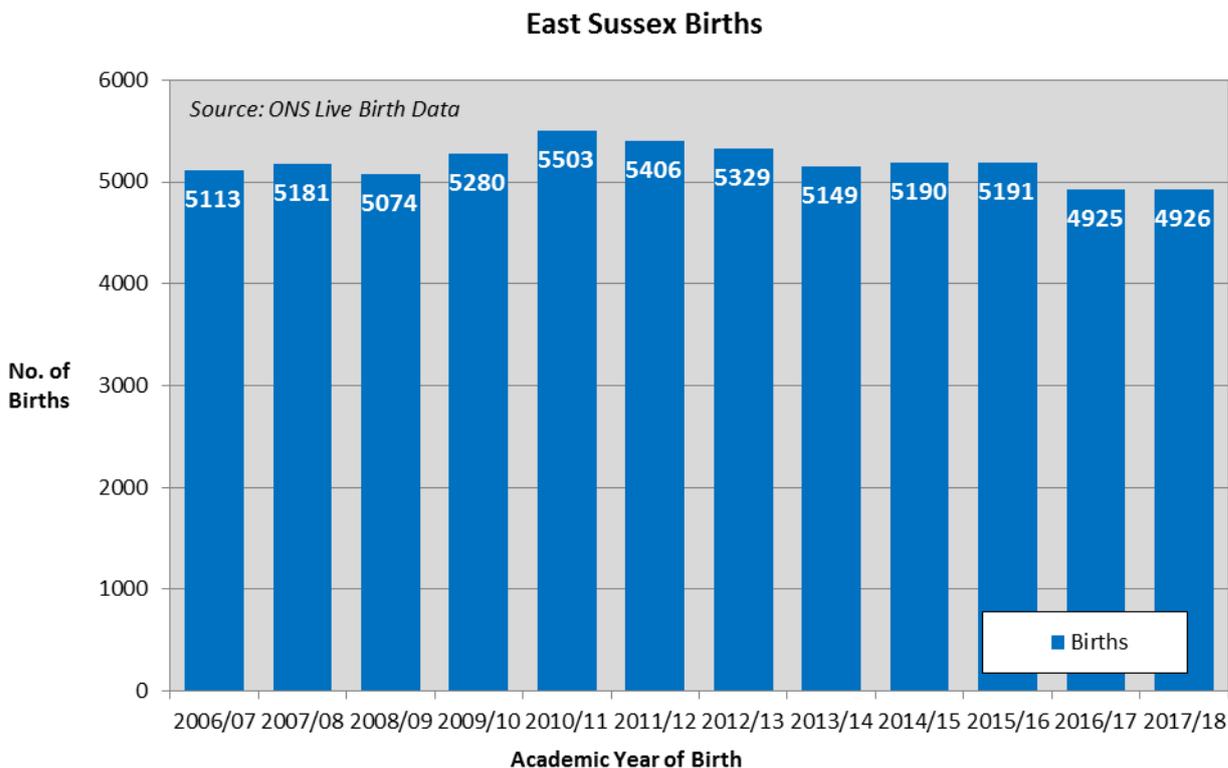
#### Population projections by age group 2017-2032

Age group	East Sussex				Wealden District			
	2017	Proportion	2032	Proportion	2017	Proportion	2032	Proportion
0-10	64,695	11.7%	63,302	10.4%	18,271	11.5%	20,418	10.8%
11-17	41,350	7.5%	45,243	7.5%	12,437	7.8%	14,166	7.5%
18-64	305,744	55.4%	303,659	50%	87,229	54.9%	93,418	49.6%
65+	140,470	25.4%	195,269	32.1%	41,004	25.8%	60,471	32.1%
Totals	552,259	100%	607,473	100%	158,941	100%	188,473	100%

Source: Population projections (dwelling led) 2017-2032 – districts, April 2019, ESiF

This reflects that the birth rate in East Sussex, in line with national trends, has fallen since 2010/11 as illustrated in the chart below.

**East Sussex births**

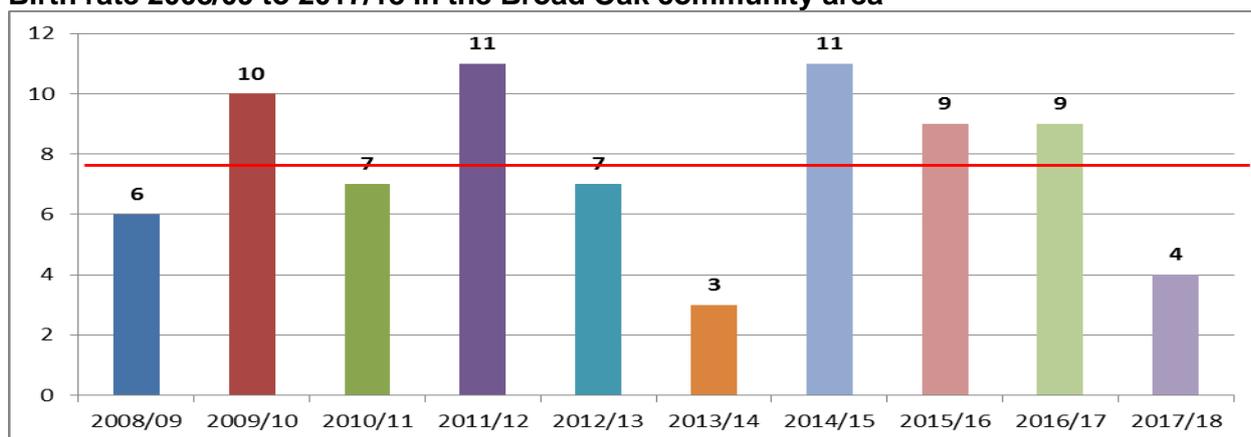


At the May 2019 school census 38,637 pupils were educated in 151 state-funded primary schools (including all-through schools) in East Sussex. In Wealden District 10,600 pupils attended 54 state-funded primary schools.

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

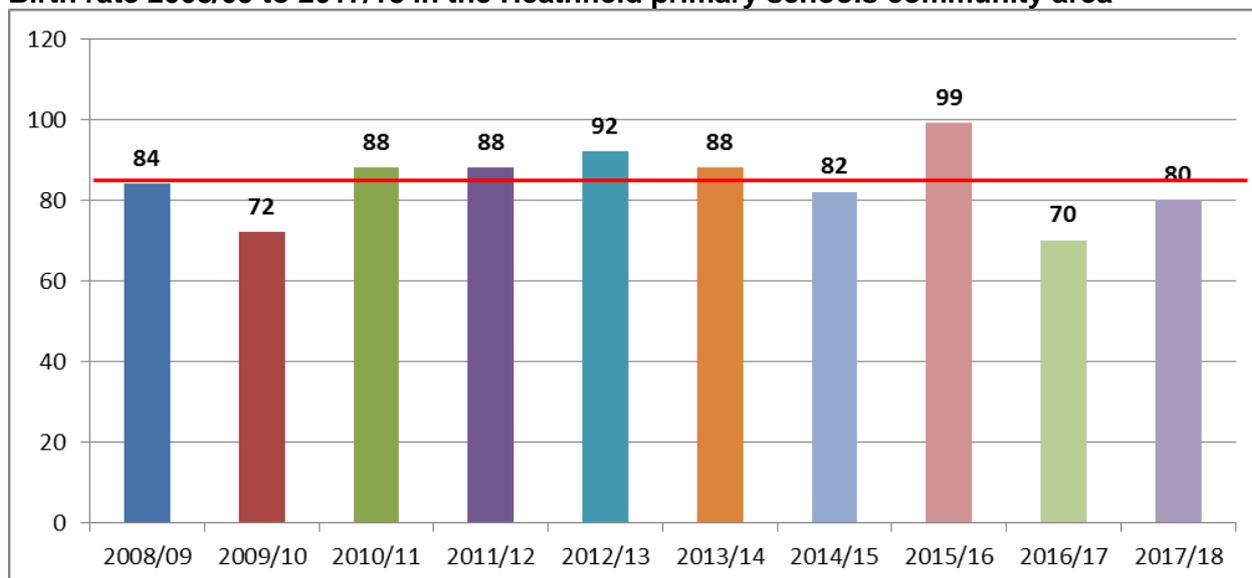
Over the last 10 years, births in the Broad Oak community area have averaged fewer than eight a year, with a high of 11 and a low of three, as illustrated below.

**Birth rate 2008/09 to 2017/18 in the Broad Oak community area**



In the same period, births in the Heathfield community area have averaged fewer than 85 a year, with a high of 99 and a low of 70 as demonstrated below.

**Birth rate 2008/09 to 2017/18 in the Heathfield primary schools community area**

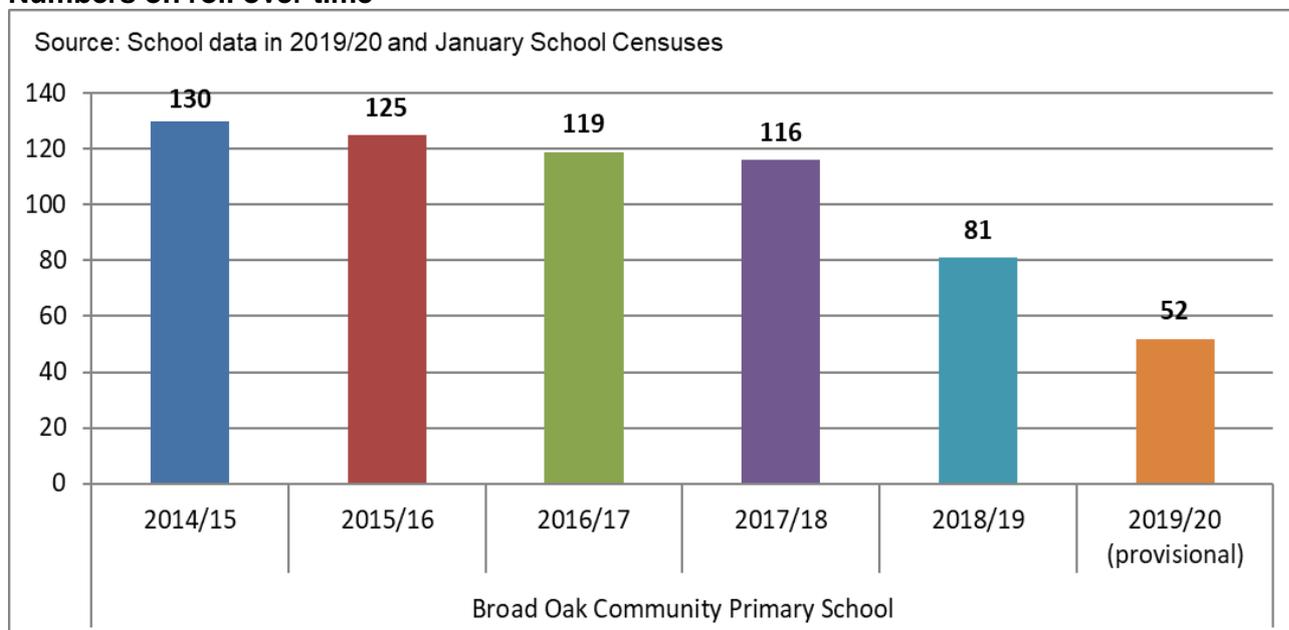


Based on births alone the combined published admission number (110) of the three Heathfield schools (All Saints' and St Richard's CE Primary School, Cross-in-Hand CE Primary School and Parkside Community Primary School) would have been sufficient in each year of the ten years to accommodate all of the children born in the Heathfield and Broad Oak community areas.

In May 2019 there were 68 children living in the Broad Oak community area attending state funded schools in East Sussex. Of these, 30 (44%) attended Broad Oak.

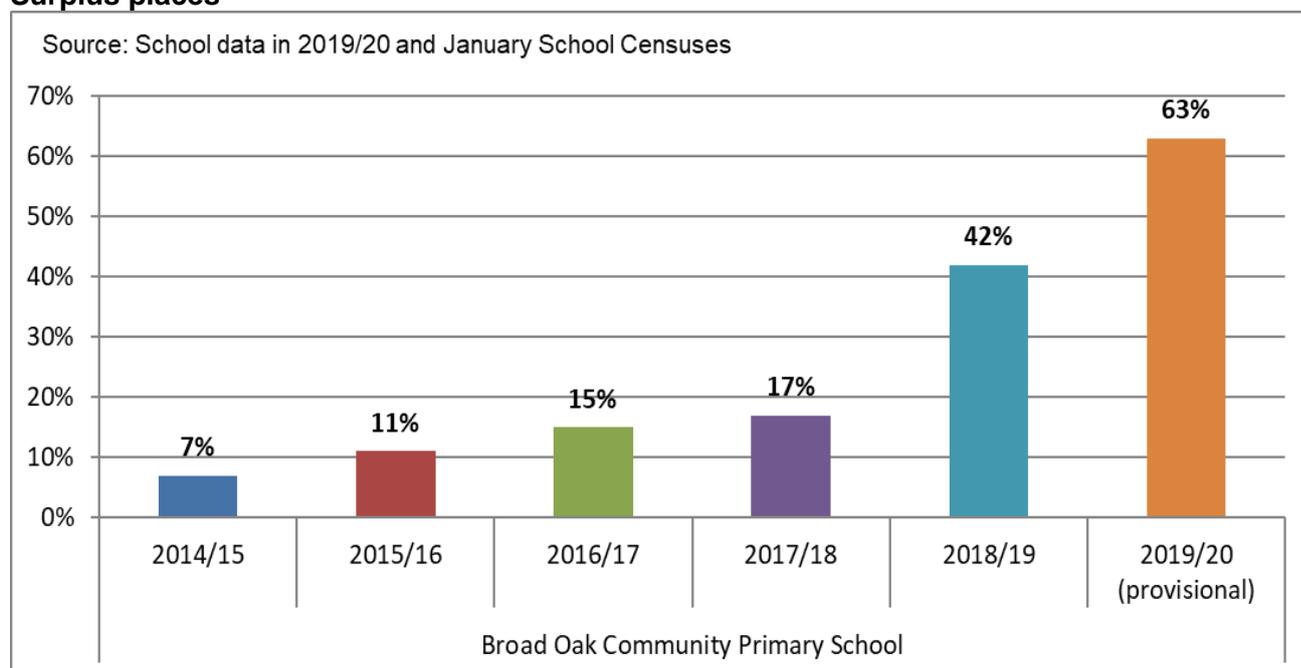
Pupil numbers at the school have been falling since 2014/15, as illustrated. From the school's pupil number return in October 2019 there are 52 pupils currently on roll against its capacity of 140.

**Numbers on roll over time**



As a result of falling pupil numbers at the school the percentage of surplus places continues to grow; the surplus for the 2019/20 academic year is 63%.

## Surplus places



Many respondents challenged the data that was provided in the Lead Member report and the subsequent consultation document, and the apparent inaccuracies when compared to data publically available through East Sussex in Figures (ESiF). For example, ESiF states that the population in Wealden District is estimated to grow by 18.6% between 2017 and 2032. Respondents appear to have taken this district-wide figure and assumed it applies to each area of the district including Broad Oak. The Broad Oak consultation document included data on historic actual and short-term forecasts of pupil numbers. However, ESiF does not publish local level population forecasts. The main reason that the two sets of historic totals may differ is that the ESiF figures relate to the number of children living in the local area, whereas the pupil number actuals given are for those children attending Broad Oak. Not all children who live in the local area attend the local school. Some will attend schools in Heathfield and other areas, while some will be educated in the independent sector. Similarly, Broad Oak has a number of pupils on roll who live in other areas.

Additionally, the Lower Super Output Area boundaries used in the ESiF estimates do not necessarily correspond to the Broad Oak admissions community area. Development in Wealden is primarily focussed in the more urban areas of Hailsham, Polegate, Stone Cross and Uckfield where infrastructure generally supports growth. To a lesser extent areas such as Horam and Heathfield will also see some growth, while villages like Broad Oak will see very little new development.

Wealden District Council provides regular updates on housing numbers and trajectories to inform the local authority's pupil forecasts. The most recent update was provided in spring 2019 and showed that just short of 600 homes are planned in Heathfield and Waldron Parish during the Wealden Local Plan period between 2018/19 and 2027/28. Within this total the Wealden Local Plan sets a windfall allowance of 50 dwellings for the village of Broad Oak over the same period.

The local authority's published pupil yields from new housing are provided below.

### Pupil yields from new homes

Pupil yield per new dwelling by property type and size	Houses 2 bed+	Flats 2 bed+	Houses / flats 1 bed
Primary schools	0.25	0.0375	0.00

Taking these pupil yields into account and assuming that all new homes are houses with two bedrooms or more, in Heathfield and Waldron Parish as a whole the local authority estimates 150 additional primary age pupils would be generated across all year groups from new homes over a

ten year period (approximately 21 additional pupils per year group over the period). The housing specifically in the Broad Oak community area would, over the same period, generate an estimated 12 to 13 additional pupils (approximately 2 additional pupils per year group over the period). The demand for places is therefore likely to be in Heathfield rather than in Broad Oak. The local authority's pupil forecasts take account of these housing figures and the likely demand for school places they will generate.

186 (67.4%) of the 276 respondents to the consultation chose to answer the question 'How old are you?' 32.6% preferred not to say or did not answer the question. The breakdown of ages was as follows.

Age group	Total
0-10	3.6%
11-17	1.4%
18-64	53.6%
65+	8.7%

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

Pupils currently in Reception to Year 5 at Broad Oak, and their families, would be most affected by the proposal as they would have to access alternative primary schools in the surrounding area in the event that Broad Oak closed.

**d) What is the proposal, project or service's impact on different ages/age groups?**

The proposal would impact on the 35 pupils currently on roll in Reception to Year 5. The Year 6 cohort will move on to secondary education at the end of the current academic year and so will not be affected by the closure in terms of their school place.

**e) What actions are to/or will be taken to avoid any negative impact or to better advance equality?**

All local authorities have a statutory duty to ensure there are sufficient school places to meet demand. In line with this duty every pupil at Broad Oak would be offered a place at an alternative school, many of which are likely to be closer to their home address and all of which have a better Ofsted rating than Broad Oak. Therefore no pupils would be disadvantaged in their education because of their age.

**f) Provide details of the mitigation.**

The local authority would take all practicable steps to ease the transition for all pupils, most especially for vulnerable groups such as those with an Education, Health and Care Plan (EHCP) or those identified as needing SEN support. The local authority would work with receiving schools to arrange transition days for pupils to familiarise themselves with their new environments.

In addition to the mitigations outlined above, the receiving schools would be asked to identify buddies for the incoming pupils to help further ease transition by ensuring there is a familiar face and an introduction to new friendship groups.

The majority of pupils currently attending Broad Oak are from out of area while a number of children living in the village travel to other schools. The majority of pupils therefore already face journeys to and from school each day. Should the school close the likely impact on traffic and the environment could potentially be reduced if the majority of displaced pupils attend schools nearer to their home address. Free transport would be provided to eligible children. Latest

analysis shows that 5 pupils might be eligible for free transport to their nearest alternative school. The cost to the local authority would be negligible as either the pupils are already in receipt of free home to school transport or arrangements are already in place to the alternative schools. The local authority acknowledges that some pupils living in Broad Oak and attending the school might face longer journeys to and from an alternative school each day. However, for the majority their nearest alternative school is within statutory walking distance.

It is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers and that, given the majority of pupils would be able to attend a school nearer to their home address it is unlikely there would be a noticeable increase in car usage. To the contrary, it would be hoped that car usage would reduce.

**g) How will any mitigation measures be monitored?**

The local authority regularly reviews its pupil forecasts to ensure there are sufficient school places to meet demand and if necessary takes action to address any shortfalls in places in line with its statutory responsibilities.

## 4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

### a) How is this protected characteristic reflected in the County / District / Borough?

Disability projections published on ESiF in May 2019 put the total number of people with a disability in East Sussex at 101,101 and in Wealden District at 26,112.

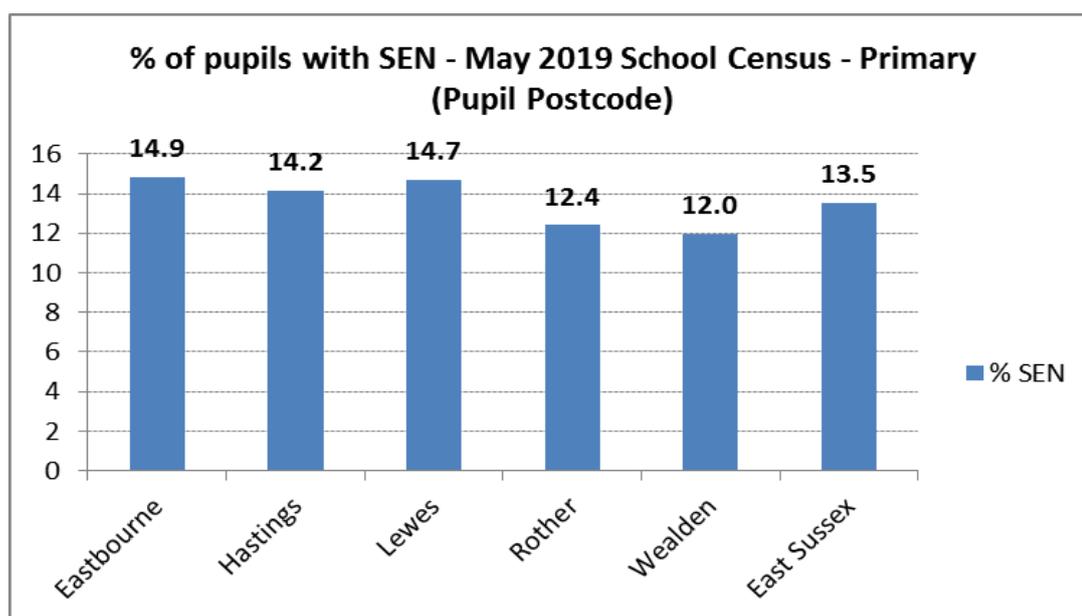
Dataset: Disability projections (dwelling-led), 2017-2032 - districts

ESCC Projections May 2019

Geography: Mixed Year Age group: All ages Category: Overall disability Measure: Number of people with disability

Year	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
East Sussex	98,608	99,800	101,101	102,766	104,874	107,010	109,158	111,194	113,369	115,459	117,684	120,015	122,422	124,788	127,219	130,210
Eastbourne	19,414	19,588	19,802	20,053	20,388	20,708	21,058	21,370	21,683	22,001	22,352	22,711	23,104	23,485	23,892	24,396
Hastings	17,419	17,601	17,800	18,030	18,310	18,580	18,878	19,136	19,403	19,665	19,957	20,256	20,582	20,911	21,224	21,594
Lewes	17,578	17,852	18,090	18,402	18,770	19,158	19,559	19,923	20,285	20,596	20,932	21,312	21,683	22,050	22,454	22,968
Rother	18,904	19,083	19,297	19,595	20,006	20,372	20,690	21,024	21,453	21,886	22,318	22,815	23,260	23,687	24,140	24,721
Wealden	25,293	26,676	26,112	26,686	27,400	28,193	28,973	29,741	30,546	31,311	32,124	32,920	33,793	34,654	35,508	36,531

At the May 2019 school census there were 9,116 pupils (13.5%) recorded as having Special Educational Needs (SEN) being educated in state funded schools in East Sussex (of which 155 reside outside of East Sussex). The number in Wealden District was 2,145, or 12% of the district's school age population.



### b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

SEN data for Broad Oak from the last academic year showed that the percentage of SEN pupils at the school was 21.7% (18 out of 83). Unless a child has an EHCP, the determination of whether a child has SEN is down to individual schools in consultation with parents and the threshold varies between establishments. However, the percentage at Broad Oak is significantly higher than for East Sussex as a whole and for other Wealden schools.

Source May 2019 school census

Fewer than five children on roll at Broad Oak have an EHCP.

5.8% of respondents to the consultation answered 'yes' to the question 'Do you consider yourself to be disabled as set out in the Equality Act 2010?'. 85.5% answered 'no' while 8.7% preferred not to say or did not answer the question.

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

The impact on pupils, particularly those with special educational needs (SEN), is a concern for a number of respondents. They question the ability of other schools to provide for pupils with additional needs, referencing what they perceive to be the nurturing ethos of Broad Oak and the expertise of staff to support pupils with emotional, physical and health needs. There is anxiety amongst parents that other schools would not be able to replicate the SEN offer at Broad Oak.

Chapter 6 of the SEND Code of Practice explains the action that mainstream schools should take to meet their duties in relation to identifying and supporting all children with SEN whether or not they have an Education, Health and Care (EHC) plan. Chapters 6.36 to 6.39 state:

*'Teachers are responsible and accountable for the progress and development of the pupils in their class, including where pupils access support from teaching assistants or specialist staff.*

*High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Additional intervention and support cannot compensate for a lack of good quality teaching. Schools should regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.*

*In deciding whether to make special educational provision, the teacher and SENCO should consider all of the information gathered from within the school about the pupil's progress, alongside national data and expectations of progress. This should include high quality and accurate formative assessment, using effective tools and early assessment materials. For higher levels of need, schools should have arrangements in place to draw on more specialised assessments from external agencies and professionals.*

*This information gathering should include an early discussion with the pupil and their parents. These early discussions with parents should be structured in such a way that they develop a good understanding of the pupil's areas of strength and difficulty, the parents' concerns, the agreed outcomes sought for the child and the next steps'.*

The determination of whether a child has SEN is down to individual schools in consultation with parents and the threshold varies between establishments. All schools have the same duties under the Equality Act 2010 and the Children and Families Act 2014 to identify and provide for children with SEN and, unless there are specific provisions named in a statutory plan which would make admission incompatible with the requirement for reasonable adjustments, it is a legal requirement for all schools to comply. As barriers to learning, that a pupil with SEN might experience, change over time, the local authority would expect provision to adapt and change accordingly and, therefore, the requirements of an individual at any given time are not reflective of those in the future. In some cases, children may cease to be identified as having SEN if appropriate adjustments are put in place to enable them to overcome barriers and to make progress in line with their peers.

Attainment for SEN pupils is difficult to compare across schools due to the very small cohorts. As would be expected for this cohort, at Broad Oak and all the alternative schools, some SEN pupils attain at the expected standard and some do not.

Respondents identified the care suite at Broad Oak and their concern about the perceived lack of alternative care suites at other schools in the area. There are care suites at four alternative schools in the wider area, at:

- Cross-in-Hand CE Primary School – full facilities available
- Hawkes Farm Primary Academy – full facilities available
- Park Mead Primary School – full facilities available but some steps between the infant and junior parts of the building
- Punnetts Town Community Primary School – full facilities available

Many respondents also referred to the impact of the proposed school closure on the mental health and wellbeing of pupils, parents and carers, staff and the wider local community. Local authority support is available to schools, children and families for mental health and emotional wellbeing as set out in Appendix 4 of the Lead Member report.

**d) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

If Broad Oak were to close the local authority, is confident that teaching staff at other schools would manage the transition of any pupils to their new school by working with parent/carers and staff at Broad Oak to identify the strengths and interests of the pupils. This information would then be used to inform curriculum planning and create a sense of belonging through displays in the environment, ensuring that the pupils build relationships with staff and pupils in the new school as quickly as possible. Staff in the new school would also talk to parents and carers and staff at Broad Oak to ensure they were aware of any additional needs or anxieties the pupil may have, so these could be well supported. This could be through an additional ‘taster’ visit to the new classroom, allocating a peer as a ‘buddy’, allocating a named adult that would greet the pupil every morning and check in on them during the day or creating a photobook of the classroom and key staff for the pupil to keep at home. These circumstances are not unusual in that schools regularly manage in-year admissions, though it is recognised that there will be a significant number of pupils making the transition at any one time, including a number of pupils with SEN. Therefore additional support will be in put in place for the transition arrangements.

The local authority would take all practicable steps to ease the transition for pupils, most especially for vulnerable learners and those with SEN including working with Broad Oak to identify any pupils who may require additional support from ISEND specialist practitioners prior to and following the change. For example, the Communication Learning Autism Support Service (CLASS) would provide individual or small group sessions to reduce anxiety for any pupils with Autism who require it and the Education Support Behaviour and Attendance Service (ESBAS) would provide individual or small group sessions on managing strong feelings and/or building new friendships for pupils with mental health or wellbeing needs who are identified as needing that additional support. This package of support around individual pupils would be provided free of charge to Broad Oak and the next school. The majority of pupils, including those with SEN, will be able to manage the change successfully without additional support from ISEND services, through well-planned preparation and transition activities involving staff at Broad Oak and the pupil's next school.

**e) Provide details of any mitigation.**

Broad Oak is a mainstream school. All mainstream schools are required to meet the individual needs of all their pupils including those with SEN and disability, as set out in the SEND Code of Practice and the East Sussex Quality Mark for Inclusion (ESQMI). All schools in the area want all children to thrive and have access to a range of support to help with their needs. This would be the case for children moving from Broad Oak and all schools would be expected to provide the same level of care as that provided at Broad Oak.

The local authority would work with pupils, their parents and the relevant schools to make appropriate transition arrangements for pupils. Relevant families would be consulted about any specific potential impacts on individuals; for instance, because of loss of support networks or the need to replicate reasonable adjustments made to accommodate children with a disability, and the local authority would ensure that appropriate individual arrangements are made where this is

necessary to avoid potential adverse impacts. Transfer to a larger school could potentially provide more flexibility of resource to support pupil's special educational needs.

**f) How will any mitigation measures be monitored?**

The local authority would closely monitor the transition of the pupils to their new schools through regular monitoring arrangements already in place. All schools have to report on the outcomes of all pupils, including those with SEN. The local authority would continue to monitor regularly the outcomes at all schools for these pupils.

### **4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact.**

#### **a) How is this protected characteristic reflected in the County /District/ Borough?**

##### Ethnicity

85.2% of pupils in East Sussex (84.9% in primary schools), according to the January 2019 school census, are of White British Heritage (WBRI). 13.5% of pupils in East Sussex are Black and Minority Ethnic (BME) (14.2% in primary schools).

In Wealden District 90.2% of pupils are WBRI (90.4% in primary schools); 8.8% are BME (9.2% in primary schools).

##### English as an Additional Language (EAL)

The proportion of pupils with EAL in East Sussex primary schools according to the May 2019 school census is 5.9% (6.8% in primary). In Wealden District the figure is 2.5% (2.7% in primary schools).

#### **b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

##### Ethnicity

98.8% of pupils, who attend Broad Oak according to the January 2019 school census, are WBRI, 1.2% are BME.

81.9% of respondents to the consultation who chose to answer the question 'To which of these ethnic groups do you feel you belong?' identified themselves as WBRI with 6.5% as BME. 11.6% preferred not to say or did not answer the question.

##### EAL

No pupils currently on roll at the Broad Oak have EAL.

#### **c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

Pupils currently in Reception to Year 5 at Broad Oak, and their families, would be affected by the proposal regardless of ethnicity as all would have to access alternative primary schools in the local area.

#### **d) What is the proposal, project or service's impact on those who are from different ethnic backgrounds?**

N/A

#### **e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

#### **f) Provide details of any mitigation.**

N/A

#### **g) How will any mitigation measures be monitored?**

N/A

#### **4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact**

##### **a) How is this protected characteristic target group reflected in the County/District/Borough?**

According to the May 2019 school census, 51.5% of pupils in East Sussex (51% in primary schools) are male and 48.5% (49% in primary schools) are female.

51.5% of pupils in Wealden District (51.4% in primary schools) are male and 48.5% (48.6% in primary schools) are female.

##### **b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

According to the May 2019 School Census the percentage of pupils attending Broad Oak who are male is 54.2% and female, 45.8%.

25% of the respondents to the consultation who chose to answer the question 'Are you...?' identified as male with 67.4% identifying as female. 7.6% preferred not to say or did not answer the question.

Less than 1% of respondents identified as a transgender or trans person.

##### **c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

Pupils currently in Reception to Year 5 at Broad Oak, and their families, would be affected by the proposal regardless of gender as all would have to access alternative primary schools in the local area.

##### **d) What is the proposal, project or service's impact on different genders?**

N/A

##### **e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

##### **f) Provide details of any mitigation.**

N/A

##### **g) How will any mitigation measures be monitored?**

N/A

**4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.**

**a) How is this protected characteristic target group reflected in the County/District/Borough?**

The local authority does not consider marital status/civil partnership characteristics to be relevant to the proposal.

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

**d) What is the proposal, project or service's impact on people who are married or same sex couples who have celebrated a civil partnership?**

N/A

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

**f) Provide details of any mitigation.**

N/A

**g) How will any mitigation measures be monitored?**

N/A

**4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.**

The local authority does not consider pregnancy and maternity characteristics to be relevant to the proposal.

**a) How is this protected characteristic target group reflected in the County/District/Borough?**

N/A

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

**d) What is the proposal, project or service's impact on pregnant women and women within the first 26 weeks of maternity leave?**

N/A

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

**f) Provide details of the mitigation**

N/A

**g) How will any mitigation measures be monitored?**

N/A

#### **4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.**

##### **a) How is this protected characteristic reflected in the County/District/Borough?**

In the 2011 Census, 59.9% of the population of East Sussex identified as Christian. 29.6% stated they had no religion. 0.8% identified as Muslim, 0.4% as Buddhist, 0.3% as Hindu, 0.2% as Jewish and 0% as Sikh.

##### **How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

In the 2011 Census, 64% of the population of Wealden identified as Christian. 26.3% stated they had no religion. 0.4% identified as Muslim, 0.3% as Buddhist, 0.1% as Hindu, 0.2% as Jewish and 0% as Sikh.

30.4% of respondents to the consultation who chose to answer the question 'Do you regard yourself as belonging to any particular religion or belief?' regarded themselves as belonging to a particular religion or belief. 51.8% stated they had no religion. 17.8% preferred not to say or did not answer the question.

28.3% of respondents identified as Christian, 1.1% as Buddhist and 2.2% as other.

##### **b) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

Currently 58% of school places in the Heathfield area are faith based and 42% are non-denominational. If Broad Oak closes this would change to 64% faith based and 36% non-denominational.

##### **c) What is the proposal, project or service's impact on the people with different religions and beliefs?**

Some pupils currently at Broad Oak, which is non-denominational, may be offered places at faith based schools in the local area.

A number of respondents stated that there would be an imbalance of non-denominational provision in the area if Broad Oak were to close. They state they would be unhappy with a faith based education for their children, referencing the Human Rights Act 1998 which states that parents have a right to ensure that their religious and philosophical beliefs are respected during their children's education. Parents argue that the same should apply to those that do not wish to have a religious education.

##### **d) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

All non-denominational state funded schools in England have to provide collective worship of 'a broadly Christian character'. Faith schools will provide worship in accordance with the trust deeds related to the school. The Diocese of Chichester Board of Education recognises '*that Church schools serve the whole community and are not exclusive to worshiping families*'. Parental preference would be considered where possible when allocating alternative school places to pupils at Broad Oak but parents do have the right to have their children excused from worship in any state funded school, whether non-denominational or faith based.

The three non-denominational schools in the Heathfield area other than Broad Oak (Parkside, Punnetts Town and Maynards Green) currently have 10 spare community school places between them. Other community schools are available in the wider area surrounding Heathfield, for example in Hailsham where a number of pupils on roll at Broad Oak live.

**e) Provide details of any mitigation.**

N/A

**f) How will any mitigation measures be monitored?**

N/A

**4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.**

**a) How is this protected characteristic reflected in the County/District/Borough?**

The local authority does not consider sexual orientation characteristics to be relevant to the proposal.

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

**d) What is the proposal, project or service's impact on people with differing sexual orientation?**

N/A

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

**f) Provide details of the mitigation**

N/A

**g) How will any mitigation measures be monitored?**

N/A

## **4.9 Other: Deprivation**

### **a) How are these groups/factors reflected in the County/District/ Borough?**

Reflecting that Wealden is one of the 20% least deprived districts in England, 9.7% of children in the District are living in poverty. This is significantly lower than the proportion for East Sussex as a whole, 16.1% (source: 2019 Indices of Deprivation).

Pupil premium funding is given to schools to address any inequalities and target effective in-school support. Pupil premium funding is given based upon the number of pupils from low-income families who are currently known to be eligible for free school meals or have been eligible over the last six years (Ever6FSM). Also pupils who are / have been looked after by the local authority.

According to the January 2019 school census, 23.1% of pupils in East Sussex (21.5% in primary schools), according to the January 2019 school census are Ever6FSM. 14.9% of pupils in Wealden District (13.4% in primary schools) are Ever6FSM.

### **b) How is this group/factor reflected in the population of those impacted by the proposal, project or service?**

22.2% of pupils attending Broad Oak are Ever6FSM which is broadly in line with the East Sussex average.

### **c) Will people within these groups or affected by these factors be more affected by the proposal, project or service than those in the general population who are not in those groups or affected by these factors?**

Pupil premium funding is attached to the pupil and so the additional funding would be available to any new school that the pupil attends. Therefore, it is not considered that a change of school would have a disproportionate impact on these pupils.

Attainment for FSM pupils is difficult to compare across schools due to the very small cohorts. As would be expected for this cohort at Broad Oak and all the alternative schools, some FSM pupils attain at the expected standard and some do not.

### **d) What is the proposal, project or service's impact on the factor or identified group?**

Families of pupils eligible for pupil premium may be disproportionately affected by additional costs for travel or a new uniform.

### **e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

Free transport would be provided to eligible pupils.

There is no uniform grant from the local authority, however, many schools make special arrangements for pupils entitled to Free School Meals and many schools sell second hand uniforms at low prices.

### **f) Provide details of the mitigation.**

The local authority and affected schools have a duty to support appropriate transition arrangements and the local authority would take all practicable steps to ease the transition for pupils, most especially for vulnerable learners, including those who are Ever6FSM. Should Broad Oak close the local authority is confident that teaching staff at other schools would manage the transition of any pupils to their new school. These circumstances are not unusual in that schools regularly manage in-year admissions, though it is recognised that there would be a

significant number of pupils making the transition at any one time, including a number of pupils from the Ever6FSM cohort. Therefore additional support would be in place for the transition arrangements as detailed below.

Should the proposal be implemented the local authority would work with pupils, their parents and the relevant schools to make appropriate transition arrangements for pupils. Relevant families would be consulted about any specific potential impacts on individuals; for instance, because of a loss of support networks, and the local authority would ensure that appropriate individual arrangements are made where this is necessary to avoid potential adverse impacts.

All schools have a duty to ensure appropriate provision for pupils who are Ever6FSM and schools receive specific funding (the pupil premium) to support these pupils. Transfer to a larger school could potentially provide more flexibility of resource to support pupil's needs.

**g) How will any mitigation measures be monitored?**

The local authority would closely monitor the transition of the pupils to their new schools through regular monitoring arrangements already in place.

All schools have to report on the outcomes of all pupils, including those who are Ever6FSM. The local authority will continue to monitor the outcomes at all schools for these pupils.

#### 4.10 Other: Community Impact

See Appendix 5 of the Lead Member report for the Community Impact Assessment.

**4.11 Human rights** - Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. **Please look at the table below to consider if your proposal, project or service may potentially interfere with a human right.**

The local authority considers the proposal to be a proportionate and positive response to the issues that have arisen regarding Broad Oak. It considers that all pupils impacted by the proposal, should it proceed, would be enabled to receive a good quality of education. The local authority does not consider that the proposal potentially interferes with a human right.

<b>Articles</b>	
<b>A2</b>	<b>Right to life (e.g. pain relief, suicide prevention)</b>
<b>A3</b>	<b>Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)</b>
<b>A4</b>	<b>Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)</b>
<b>A5</b>	<b>Right to liberty and security (financial abuse)</b>
<b>A6 &amp; 7</b>	<b>Rights to a fair trial; and no punishment without law (e.g. staff tribunals)</b>
<b>A8</b>	<b>Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)</b>
<b>A9</b>	<b>Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)</b>
<b>A10</b>	<b>Freedom of expression (whistle-blowing policies)</b>
<b>A11</b>	<b>Freedom of assembly and association (e.g. recognition of trade unions)</b>
<b>A12</b>	<b>Right to marry and found a family (e.g. fertility, pregnancy)</b>
<b>Protocols</b>	
<b>P1.A1</b>	<b>Protection of property (service users property/belongings)</b>
<b>P1.A2</b>	<b>Right to education (e.g. access to learning, accessible information)</b>
<b>P1.A3</b>	<b>Right to free elections (Elected Members)</b>

## Part 5: Conclusions and recommendations for decision makers

**5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.**

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

**5.2 Impact assessment outcome** Based on the analysis of the impact in part four mark below ('X') with a summary of your recommendation.

X	Outcome of impact assessment	Please explain your answer fully.
x	<b>A No major change</b> – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.	The proposed closure of Broad Oak is appropriate on the basis of concerns over the long term viability of the school, in relation to its predicted ongoing budget deficit, the high number of surplus places at the school and in the area, its location in relation to demand arising from local pupil numbers and the quality of education.
	<b>B Adjust the policy/strategy</b> – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	Pupils currently attending Broad Oak would be guaranteed a place at another primary school. All other local primary schools have higher Ofsted ratings and are required by law to provide the same level of support for vulnerable pupils.
	<b>C Continue the policy/strategy</b> - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate	Any potentially negative impact on pupils, including those with SEN who are over-represented in the cohort and those who are Ever6FSM, would be mitigated by the local authority working with the new schools to put in place effective transition arrangements. No particular group of pupils should be affected more than another.
	<b>D Stop and remove the policy/strategy</b> – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed.	Free home to school transport would be provided for eligible pupils. The majority of pupils at Broad Oak live nearer to an alternative school. The local authority acknowledges that some pupils living in Broad Oak might face longer journeys to and from an alternative school each day. However, for the majority their nearest alternative school is within statutory walking distance.

**5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, project or service?**

The local authority has a clear schedule for regular monitoring of schools and the outcomes achieved by all pupils, including outcomes for those with SEN and Ever6FSM and boys/girls.

**5.4 When will the amended proposal, proposal, project or service be reviewed?**

This would be subject to the decision at the Lead Member meeting on 23 December 2019.

<b>Date completed:</b>	<b>November 2019</b>	<b>Signed by (person completing)</b>	<b>Gary Langford</b>
		<b>Role of person completing</b>	<b>Place Planning Manager</b>
<b>Date:</b>	<b>November 2019</b>	<b>Signed by (Manager)</b>	<b>Fiona Wright Assistant Director, Education and Inclusion, Special Educational Needs and Disability</b>

**Part 6: Equality impact assessment action plan**

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.

The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. **If no actions fill in separate summary sheet.**

**Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:**

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Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT)

### 6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)

**Support available to schools, children and families for Mental Health & Emotional Wellbeing from East Sussex County Council**

*Some of the above provision is part of Services' core offer, whilst other aspects are traded*

Type of support	Details
Whole school staff support and training	<p><b>Educational Psychology Service</b>                      Support and Consultation Meetings                      Emotional Literacy Support Assistant training to build the capacity of schools to respond effectively to the emotional needs of pupils as they arise                      Staffing issues (e.g. training needs, wellbeing, supervision needs)                      Whole school mental health and wellbeing: audits of effective practice                      Training on:</p> <ul style="list-style-type: none"> <li>• Managing Anxiety, Anger or Challenging Behaviour</li> <li>• Mental Health; Self-Harm; Attachment and Resilience; Effects of Trauma and Neglect on Brain Development</li> <li>• Loss and Bereavement</li> <li>• Mindfulness; Cognitive Behavioural Approaches</li> <li>• Understanding Autism; ADHD and Self-Regulation</li> </ul>
	<p><b>Education Support, Behaviour and Attendance Service</b>                      Whole school behaviour management training, plus:</p> <ul style="list-style-type: none"> <li>• Behaviour training for Teaching Assistants and Individual Needs Assistants</li> <li>• Specific teacher support packages including NQTs and Recently Qualified Teachers</li> <li>• Tackling low-level disruption</li> <li>• De-escalation</li> <li>• SENCO support and consultation</li> <li>• Nurture advice on practical strategies to enhance whole school MHEW</li> </ul>
	<p><b>Teaching and Learning Provision</b>                      Support to complete Additional Needs Plans for children with medical and mental health needs                      Support for a graduated response for children and young people with mental health needs – generalised or for an identified need</p>
	<p><b>Standards and Learning Effectiveness Service</b>                      Safeguarding training for Designated Safeguarding Leads including on mental health and wellbeing concerns</p>
	<p><b>Communication Learning and Autism Support Service</b>                      Whole school development needs around identifying and meeting the needs of pupils with Speech, Language &amp; Communication Needs, including Autism and Specific Learning Difficulties (such as Dyslexia)</p>
	<p><b>Mental Health Education Welfare (MHEW) Adviser</b>                      Whole school training on whole school approaches to MHEW including audit support and review meetings                      Whole staff MHEW training                      Themed countywide MHEW training                      Support and group supervision for mental health leads</p>

	<p><b>Special Educational Needs Practice and Standards Lead</b> Lead SENCO programme SENCO Hubs</p>
	<p><b>Workforce Development and HR</b> Mental health learning pathway supported and developed by ESCC training team Staff wellbeing programme provided through occupational health for all directly maintained schools, including access to a counselling service and a range of resources and support. Academies and free schools can buy in this service</p>
	<p><b>Public Health</b> Personal Social Health Economic Education Hubs &amp; funded programme of support for new Sex and Religious Education curriculum requirements</p>
<b>Individual/group intervention for children and young people</b>	<p><b>Educational Psychology Service</b> Bespoke programme of work to aid identified needs with individual children and young people or groups, e.g. 'Worrybusters'</p>
	<p><b>Education Support, Behaviour and Attendance Service</b> Boys / Girls Friendship groups</p>
	<p><b>School Health Service</b> Pupil voice sessions in schools supporting development of whole school health improvement plans. All questionnaires which flag an alert are assessed by a school nurse with follow up with the child, young person or parent as appropriate</p>
<b>Targeted support</b>	<p><b>Educational Psychology Service</b> Critical incident support Training on Bereavement and Loss</p>
	<p><b>Communication Autism and Learning Support Service</b> Support for specific children and young people</p>
<b>Family support</b>	<p><b>Single Point of Advice / Child and Adolescent Mental Health Service</b> <i>for children and young people who meet the criteria for level 3 on the continuum of need</i> Early Help Key Worker service supports families with multiple and complex needs CAMHS supports children and young people needing specialist mental health provision</p>
	<p><b>Communication Autism and Learning Support Service</b> Guidance and training that enables families/carers to build their understanding of the strengths and challenges faced by children and young people with Autism and so to develop greater confidence in how to support them</p>
	<p><b>SPECTRUM</b> Commissioned support to young people with autism aged 0 to 19 to join in activities in their community independently. SPECTRUM also signpost young people with autism to other appropriate services.</p>



## Proposed closure of Broad Oak Community Primary School Community Impact Assessment

### Introduction

Broad Oak Community Primary School is located in the village of Broad Oak, Heathfield, East Sussex.



The village of Broad Oak is in the Parish of Heathfield and Waldron, which is in Wealden District.



Covering 322 square miles, Wealden is the largest district in East Sussex and is classified as one of the most rural districts in England. Half the population lives in the five main towns of Crowborough, Hailsham, Heathfield, Polegate and Uckfield. The rest live in rural villages and hamlets.

The parish includes the market town of Heathfield and the villages of Waldron, Cross-in-Hand, Broad Oak, Old Heathfield and part of Punnetts Town. Heathfield is surrounded by the High Weald Area of Outstanding Natural Beauty.

## Impact on pupils

Should the proposal be implemented and Broad Oak Community Primary School (Broad Oak) be closed, the pupils in Reception to Year 5 would need to move to alternative primary schools in the surrounding area. Year 6 pupils would be leaving primary school to take up places in secondary schools and so would not be affected by the closure in terms of their school place.

### **Potential Impact:**

The main changes for pupils in Reception to Year 5 would be:

- A new school
- A new route to school
- A new uniform
- New teachers and support staff
- A new learning environment
- Changed friendship groups

Responses to the consultation indicated that parents were concerned about the impact on the mental health and wellbeing of pupils.

### **Mitigating Factors:**

Every pupil would be guaranteed the offer of a place at an alternative primary school in their local area. The schools identified as being within a reasonable distance of Broad Oak are:

- All Saints and St Richards CE Primary School
- Cross in Hand CE Primary School
- Parkside Community Primary School
- Parkside Community Primary School
- Dallington CE Primary School
- Maynards Green Community Primary School
- Mayfield CE Primary School
- Five Ashes CE Primary School
- Burwash CE Primary School

The local authority would be responsible for overseeing the process of closing the school and would work closely with the school to implement closure, including supporting pupils during their final months at Broad Oak and in their transition to a new school. Parents and carers of children at the school would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their 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 local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would 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:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

The local authority would take all practicable steps to ease the transition for all pupils, including vulnerable groups. It would work with the receiving schools to arrange transition days for pupils to meet their new teachers and to familiarise themselves with their new environments.

Local authority support is available to schools, children and families for mental health and emotional wellbeing as set out in Appendix 4 of the Lead Member report.

Some of the schools identified mention on their websites that second hand uniforms are available at a very low cost.

**Recommendation:**

That, in addition to the mitigations outlined above, the receiving schools would be asked to identify buddies for the incoming pupils to help further ease transition by ensuring there is a familiar face and an introduction to new friendship groups.

**Impact on parents and families**

The Friends of Broad Oak School organise a number of events for parents of pupils in order to fund raise for the school. These include but are not limited to:

- Summer, Easter and Christmas Fayres
- Harvest Festival and supper
- Film nights
- Quizzes
- Book week events
- Christmas coffee morning
- Discos

Broad Oak also provides a breakfast club and a holiday club which has run for inset days so far, although the school has been looking to offer more dates throughout all holidays going forward.

**Potential Impact:**

If the proposals go ahead, it is likely that these events would cease.

**Mitigating Factors:**

Schools in the local area also provide events, clubs and wrap around care for pupils:

- All Saints and St Richards CE Primary School  
The PTA holds regular events including cake sales and film nights. The school also runs a number of before and after school clubs for pupils including archery, gymnastics, netball and fencing.
- Cross in Hand CE Primary School  
The school offers an extensive range of after school clubs, which include drawing, choir, drama, diamond dance, gymnastics, football, mandarin, tag rugby, karate, tennis and swimming.  
  
The Friends of Cross in hand school hold a number of different events during the year, including film nights, discos, a Christmas and a Summer Fair, quizzes and cake sales.
- Parkside Community Primary School  
The PTA holds events such as fireworks, quiz nights, ladies bingo, cake sales and a summer fete. The school has a breakfast club and an after school club, as well as a number of extra-curricular clubs and activities including helping out on the school farm.
- Punnetts Town Community Primary School  
The Friends of Punnetts Town School hold a fundraising event at Easter, summer and Christmas. Maypole dancing is an annual tradition and other recent activities have included a Christmas shopping evening, a quiz night, film nights for the children and an annual theatre or pantomime trip.
- Dallington CE Primary School  
After school clubs include Irish dancing, tag rugby, football, African drumming, choir, piano, great out tours and karate.

- Maynards Green Community Primary School  
The Friends of Maynards Green School organise a range of social occasions as well as organising a variety of fund raising activities such as a summer fair, cake sales and a Christmas market. The school offers a breakfast club and after-school childcare.
- Mayfield CE Primary School  
The Friends of Mayfield School organise events - recently a circus, an Easter parade, a pamper evening, a fashion show and a Christmas fair. The school offers a breakfast club and a range of after school clubs including drama, multi-skills, violin, guitar, bible explorers & craft, hockey, football and netball.
- Five Ashes CE Primary School  
The school has a range of after school clubs including dance, tag rugby, pottery and a cookery club.
- Burwash CE Primary School  
The school offers a number of after-school activities including football/cricket, netball, judo, gardening, mud kitchen club, film and newspaper club.

**Recommendation:**

That the local authority and/or the receiving schools be asked to let prospective parents know of any arrangements in the area for holiday clubs.

**Impact of the proposal on the local pre-school**

Broad Oak Pre-school offers early years provision for children aged 2-5. It operates from Broad Oak Village Hall. It works with all of the local primary schools to ensure that children have a managed transition to school.

**Potential impact:**

The proposed closure of the school would not directly impact Broad Oak Pre-school as it is not located on the school site. Its current cohort of 28 comes from a number of towns and villages:

**Home location of children attending Broad Oak Pre-school**

Child's home location	Funded and non-funded 2, 3 and 4 year olds	% of cohort
Broad Oak	7	25%
Heathfield	11	39%
Burwash, Hailsham, Hawkhurst, Herstmonceux, Horam, Punnetts Town, Robertsbridge	10	36%

Source: September 2019 early years data from the pre-school

**Mitigating Factors:**

Children leaving the pre-school in September 2019 fed into nine different primary schools; fewer than five went to Broad Oak. In recent years very few children from Broad Oak attended their local pre-school.

**Recommendation:**

None

**Impact of proposal on the wider community**

Concerns were expressed through the consultation that, should the proposed closure be implemented, the school premises would be lost as a community venue and local residents would lose access to a community defibrillator which is located on the school site.

Concerns were also expressed about the impact on the village shop which benefits from the passing trade brought by parents and pupils attending the school.

**Potential Impact:**

If the school were to close the local community would no longer be able to attend events at the school and would no longer have access to the defibrillator located there.

Schools act as employers and consumers in the local area. Parents of pupils attending the school may be more likely to spend locally. Sell et al (1996) studied the socio-economic impacts of school closures on North Dakota communities. They found a perceived decline in retail sales and the number of businesses in both communities where schools had closed and communities where schools had gained students due to the consolidation of schools. Those from communities where schools had closed were more likely to think this decline was due to the school closure. However, there was a lack of data to support their belief [1] [2]. A high proportion of pupils at the school do not live in Broad Oak so the school has had the effect of bringing in potential customers from outside the village.

**Mitigating Factors:**

If local volunteers wish to organise events for the village, there is at least one alternative venue in the village (Broad Oak Village Hall). The village hall is approximately 0.4 miles from the school, around a 10 minute walk.

In addition, Heathfield and Waldron Parish Council provide information on its website about a range of groups and events in the wider parish area that could be accessed by the local community. These include:

- Sports and fitness, such as bowls, table tennis, cricket, rugby, ramblers, folk dance and Tai Chi.
- Interests, such as History Society, Horticultural Society, Philatelic Society, choral society, Drama Club, Quilters and a Brass Band.
- Clubs and Groups, such as Rotary Club, Linked Hands Club, British Legion and the Women's Institute.

The Heathfield.net website indicates that Public Access Defibrillators (PADs) have also been installed at Broad Oak Village Hall and on the outside front wall of GO:VER Gym in Broad Oak. Therefore the community has access to alternative defibrillators in close proximity to the school. The defibrillator currently situated at Broad Oak could be relocated to an alternative community venue.

The economic benefits that a school brings to a community must be considered beneficial side effects to the main duty of a school which is to provide a quality education to its pupils. Numbers on roll, budget deficits and academic standards must be the major considerations in any decision on the future of a school and, while a community may be impacted by a decision to close a school; this cannot be an overriding factor. If the school closed, the local shop would be unable to rely on passing trade from the school community. This is already the case for 13 weeks of the year during school holidays. It would be for the local community to consider how to support local retail facilities.

**Recommendation:**

None

**Access to provision of same school designation**

Broad Oak is a non-denominational school. Currently 58% of school places in the Heathfield area are faith based and 42% are non-denominational. If Broad Oak closes this would change to 64% faith

based and 36% non-denominational. The three non-denominational schools in the Heathfield area other than Broad Oak (Parkside, Punnetts Town and Maynards Green) have 10 spare community school places between them. Other community schools are available in the wider area surrounding Heathfield, for example in Hailsham where a number of pupils on roll at Broad Oak live.

**Potential Impact:**

Pupils currently in Reception to Year 5 at Broad Oak would be likely to be offered places at faith schools.

**Mitigating Factors:**

It is not unusual for rural parts of the county to have only faith schools and no community provision at all. Examples include the North Chailey, Battle, Robertsbridge and Wadhurst review areas. All non-denominational state funded schools in England have to provide collective worship of a ‘broadly Christian character’. Faith schools will provide worship in accordance with the trust deeds related to the school. The Diocese of Chichester Board of Education recognises “that Church schools serve the whole community and are not exclusive to worshipping families”. Parental preference would be considered where possible when allocating alternative school places to pupils at Broad Oak but parents do have the right to have their children excused from worship in any state funded school, whether non-denominational or faith based.

The three non-denominational schools in the Heathfield area other than Broad Oak (Parkside, Punnetts Town and Maynards Green) currently have 10 spare community school places between them. Other community schools are available in the wider area surrounding Heathfield, for example in Hailsham where a number of pupils on roll at Broad Oak live.

**Recommendation:**

None

**Impact on neighbouring schools**

If the proposals go ahead and the school is closed, every pupil in Reception to Year 5 at Broad Oak would be offered a place at an alternative school, many of which are likely to be nearer to their home address.

**Potential Impact:**

An analysis of current pupil numbers in the Heathfield area has concluded that there would be sufficient places for the pupils of Broad Oak. This is illustrated in the table below:

**Provisional pupil numbers in the Heathfield area**

Capacity	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total	Capacity	Surplus	% surplus
		230	230	230	230	230	230	230				
Broad Oak	20	5	1	6	9	8	6	17	52	140	88	63%
All Saints' and St Richard's	20	15	13	13	10	17	6	13	87	140	53	38%
Cross-in-Hand	60	57	37	43	42	56	44	30	309	420	111	26%
Dallington	15	16	13	17	17	18	14	11	106	105	0	0%
Five Ashes	10	10	10	8	7	14	7	7	63	56	0	0%
Mayfield	30	21	21	28	25	21	24	21	161	210	49	23%
Maynards Green	30	30	30	30	30	33	32	30	215	210	0	0%
Parkside	30	30	30	29	31	29	30	30	209	210	1	0%
Punnetts Town	15	15	12	16	12	14	17	10	96	105	9	9%
<b>Totals</b>	<b>230</b>	<b>199</b>	<b>167</b>	<b>190</b>	<b>183</b>	<b>210</b>	<b>180</b>	<b>169</b>	<b>1298</b>	<b>1596</b>	<b>311</b>	<b>19%</b>

Data source: Pupil number returns from schools between September and November 2019.

The impact on local schools would be positive in terms of increasing their rolls and sustainability.

**Mitigating Factors:**

N/A

**Recommendations:**

None

**Impact on pupil travel arrangements**

Through the consultation, traffic congestion in Heathfield was raised as a significant concern.

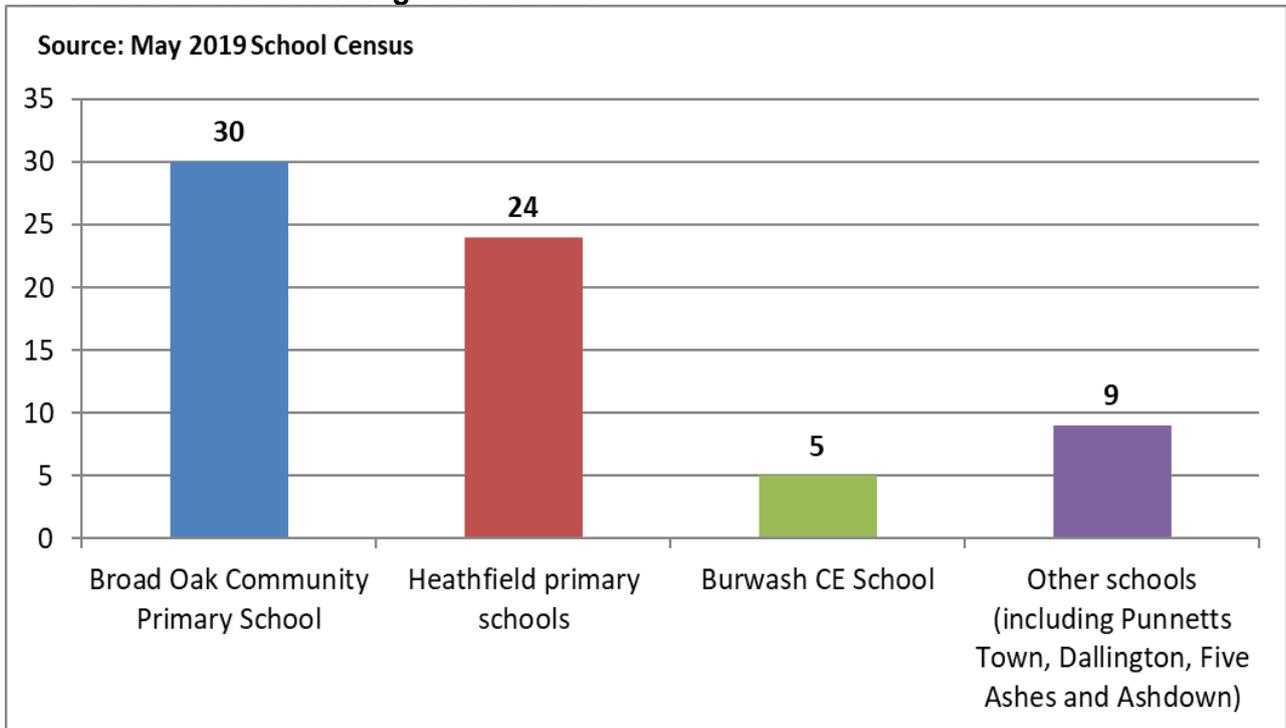
**Potential Impact:**

Some families may be impacted by additional travel costs and travel time. The closure of the school may impact members of the community who will have to go beyond the local village to engage with teachers and use community facilities. Respondents to the consultation cited the impact on traffic and the environment of children having to travel by car to their nearest alternative school.

**Mitigating Factors:**

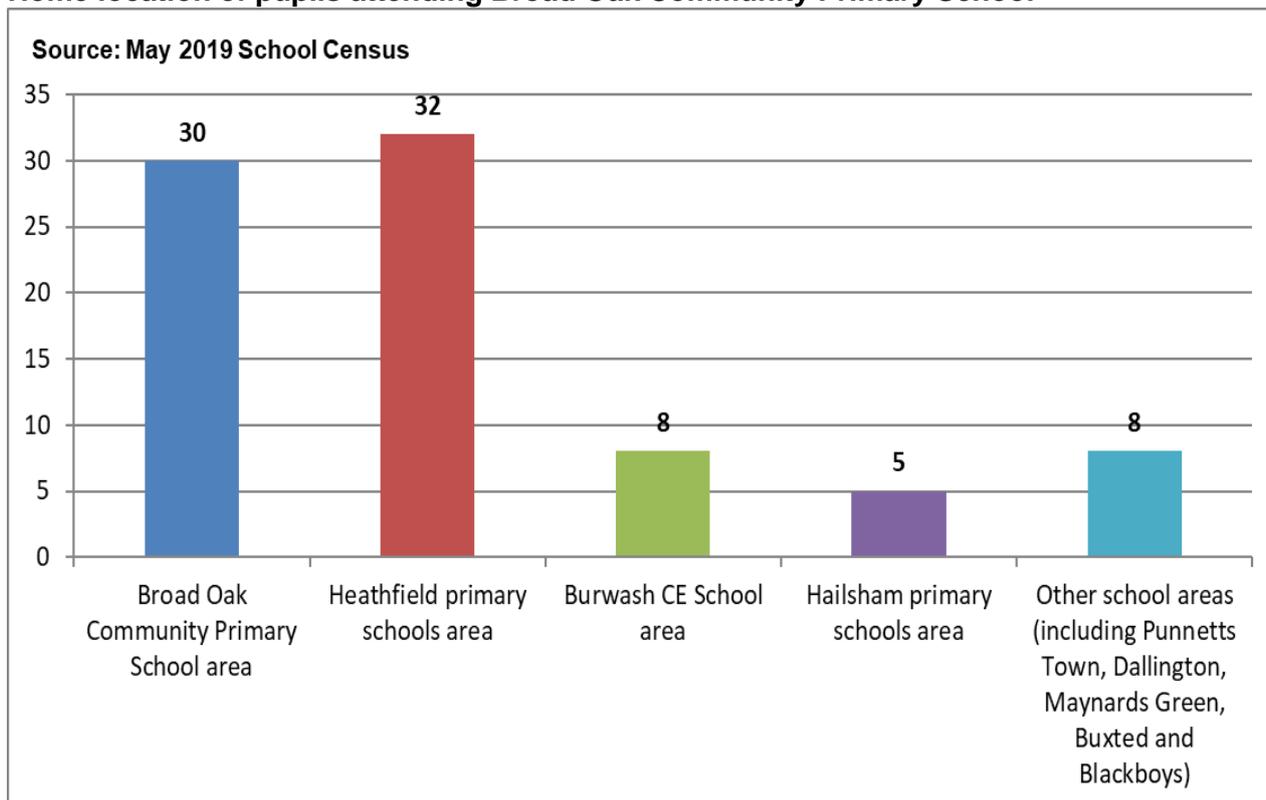
The May 2019 School Census showed 68 children living in the Broad Oak community area attending state funded school in East Sussex. Of these, 30 (44%) attended Broad Oak while 38 (56%) attended other schools in the surrounding area.

**Destination of children living in Broad Oak**



The 30 pupils who attended the school in May 2019 made up 36% of the total number of pupils on roll, whereas 53 pupils (64%) live in areas served by other schools.

## Home location of pupils attending Broad Oak Community Primary School



Alternative schools are not far from the village and would be in travelling distance for community activities - between 1.5 and 5.4 miles away from Broad Oak as shown in the table below. For the majority of pupils and families these schools could be nearer to their home address.

School	Distance from Broad Oak Community Primary School in miles (rounded)
All Saints' and St Richard's CE Primary School	1.5
Cross-in-Hand CE Primary School	2.3
Parkside Community Primary School	2.5
Punnetts Town Community Primary School	2.3
Dallington CE Primary School	3.8
Maynards Green Community Primary School	3.5
Mayfield CE Primary School	3.7
Five Ashes CE Primary School	5.4
Burwash CE Primary School	5.1

The majority of pupils currently attending Broad Oak are from out of the area while a number of children living in the village travel to other schools. The majority of children therefore already face journeys to and from school each day. Should the school close the likely impact on traffic and the environment could potentially be reduced if displaced pupils attend schools nearer to their home address.

Latest analysis shows that of the 35 Reception to Year 5 pupils likely to be affected by the proposal, approximately 57% live nearer/same distance to an alternative school, with approximately 43% living further away. Free home to school transport would be provided for eligible pupils who meet the criteria set out the link below. The local authority currently estimates five pupils would be eligible for free home to school transport to their nearest alternative school. The cost to the local authority would be negligible as either pupils are already in receipt of free

home to school transport or arrangements are already in place to the alternative schools. The local authority acknowledges that some pupils living in Broad Oak and attending the school might face longer journeys to and from an alternative school each day. However, for many their nearest alternative school is within statutory walking distance.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

It is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers and that, given the majority of pupils would be able to attend a school nearer to their home address it is unlikely there would be a noticeable increase in car usage. To the contrary, it would be hoped that car usage would reduce.

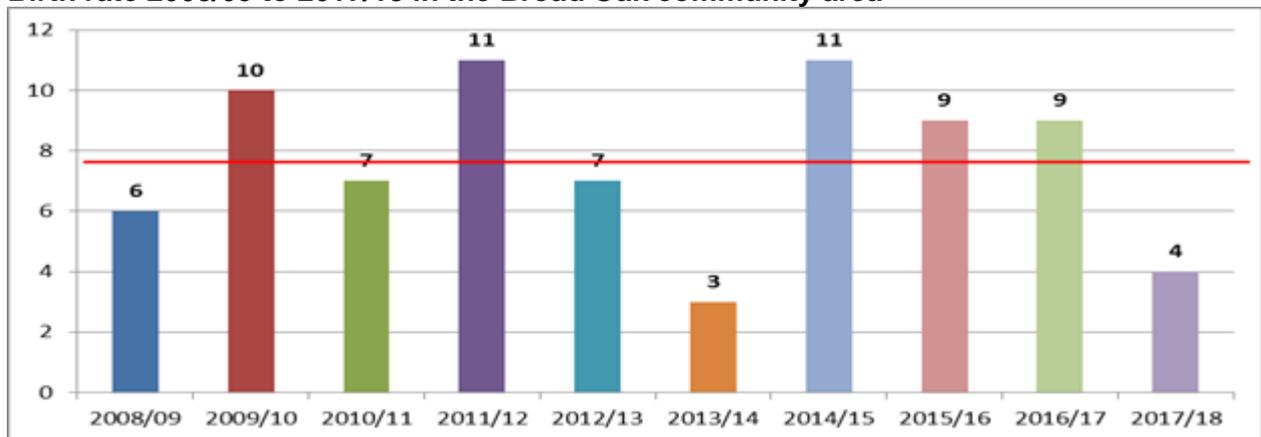
### **Recommendations**

None

### **Impact on community demographics**

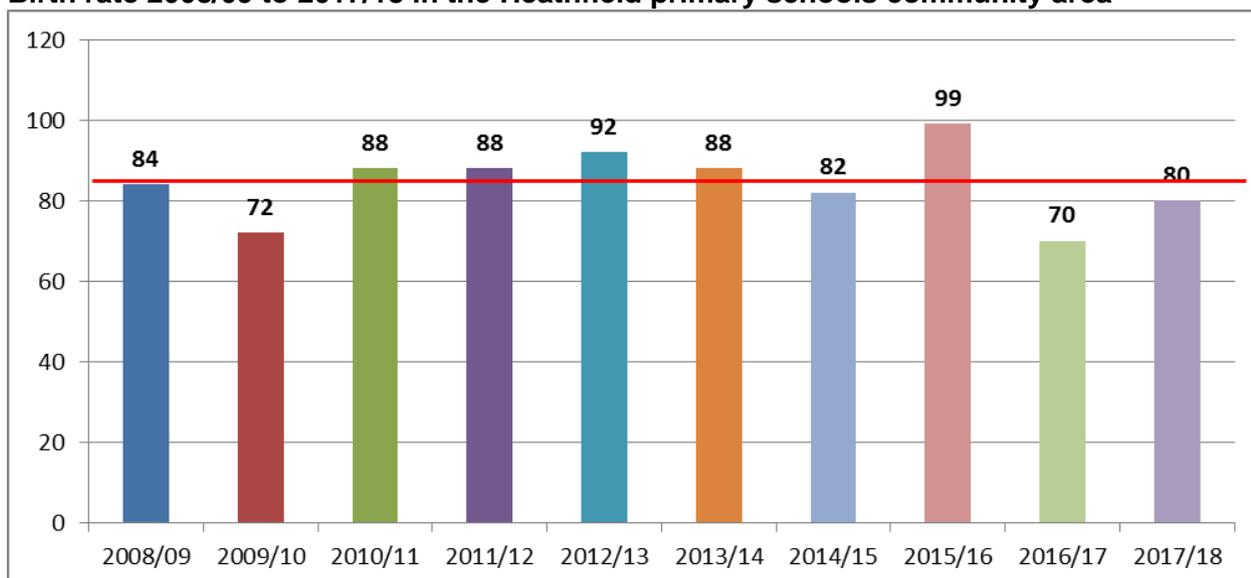
The 10-year average birth rate in the Broad Oak community area is less than 8 per annum (the school's published admission number is 20), with a high of 11 and a low of 3, as illustrated below.

#### **Birth rate 2008/09 to 2017/18 in the Broad Oak community area**



In the same period, births in the Heathfield community area have averaged fewer than 85 a year, with a high of 99 and a low of 70 as demonstrated below.

### Birth rate 2008/09 to 2017/18 in the Heathfield primary schools community area



Based on births alone the combined published admission number (110) of the three Heathfield schools (All Saints' and St Richard's CE Primary School, Cross-in-Hand CE Primary School and Parkside Community Primary School) would have been sufficient in each year of the ten years to accommodate all of the children born in the Heathfield and Broad Oak community areas.

Wealden District Council provides regular updates on housing numbers and trajectories to inform the local authority's pupil forecasts. The most recent update was provided in spring 2019 and showed that just short of 600 homes are planned in Heathfield and Waldron Parish during the Wealden Local Plan period between 2018/19 and 2027/28. Within this total the Wealden Local Plan sets a windfall allowance of 50 dwellings for the village of Broad Oak over the same period.

The local authority's published pupil yields from new housing are:

#### Pupil yields from new homes

Pupil yield per new dwelling by property type and size	Houses 2 bed+	Flats 2 bed+	Houses / flats 1 bed
Primary schools	0.25	0.0375	0.00

Taking these pupil yields into account and assuming that all new homes are houses with two bedrooms or more, in Heathfield and Waldron Parish as a whole the local authority estimates 150 additional primary age pupils would be generated across all year groups from new homes over a ten year period (approximately 21 additional pupils per year group). The housing specifically in the Broad Oak community area would, over the same period, generate an estimated 12 to 13 additional pupils (approximately 2 additional pupils per year group over the period). The demand for places is therefore likely to be in Heathfield rather than in Broad Oak. The local authority's pupil forecasts take account of these housing figures and the likely demand for school places they will generate.

#### Potential Impact:

The closure of the school could have the effect of making the village less attractive to families with school age children and so attracting an older population.

#### Mitigating Factors:

Broad Oak's birth rate indicates that population growth, even with the limited house building planned in the village, would be low and in-area demand for places at Broad Oak in the future could be limited. Very few of the pupils arriving from new housing will be in houses built in Broad Oak. The majority of new homes will be in school admissions areas served by other

schools, most notably Heathfield and Horam. It is not the school's or the local authority's role to seek to encourage families with young children to move to the village and indeed the resources required to attempt to do so would be prohibitive and likely to be of little effect.

**Recommendations:**

None

**Summary and conclusions of the potential impact on the community**

The community impact assessment has identified a number of possible areas where the proposal could have some negative impact on a small number of local families and the local community, but also some mitigating factors which limit the impacts.

Issue	Potential Impact	Mitigating Factors	Conclusions
Impact on pupils	Coping with change to a new school environment.	The local authority and schools would work to minimise disruption of transition.	Initially negative; later potentially positive in terms of widening peer groups and accessing different facilities. Overall: Neutral
Impact on parents and families	Loss of clubs and events.	All the alternative schools provide a range of clubs and events.	Neutral
Impact on wider community	Losing a community venue.	Broad Oak has a village hall and the village is very close to Heathfield and other villages which host events in community venues.	Potentially negative but could be mitigated by use of village hall.
	Local shop losing trade	None	Potentially negative
	Losing access to Community Defibrillator	There are two further community defibrillators located in Broad Oak. The defibrillator at Broad Oak could be relocated to an alternative community venue.	Neutral
Access to same school designation	A number of pupils could be offered places at faith schools.	Parents can opt their children out of collective worship in any school.	Neutral
Impact on neighbouring schools	Neighbouring schools would offer places to pupils currently at Broad Oak.	There are sufficient places at surrounding schools to take all the pupils from Broad Oak.	Positive
Impact on pupil travel arrangements	Some families may experience increased costs and travel time to school,	For the majority of pupils there are alternative schools nearer to their home	Potentially negative for pupils living in Broad Oak who might face longer journeys to and from

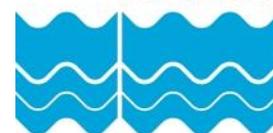
Issue	Potential Impact	Mitigating Factors	Conclusions
	others may experience reduced costs and travel time to school.	address. Some pupils living in Broad Oak might face longer journeys to and from an alternative school each day. However for many their nearest alternative school is within statutory walking distance. Free home to school transport would be available for eligible pupils.	school each day.
Impact on community demographics	Closure of the school may impact the balance of community.	The birth rate in the village is low and projected to remain so. The majority of children in the village do not attend the local school. Very few of the pupils arising from new housing will be in houses built in Broad Oak. The majority of new homes will be in school admissions areas served by other schools.	Neutral

In any small community, the loss of one institution or business will be felt proportionately more than in a larger community and the closure of a school in a village community will undoubtedly impact. Good schools engage parents in their children's education and reach out to the wider community for support, as well as providing community facilities. However, these must be considered beneficial side-effects to the main duty of a school which is to provide a quality education to its pupils. Numbers on roll, budget deficits and quality of education must be the considerations in any decision on the future of a school and, while a community may be impacted by a decision to close this cannot be the overriding factor.

**References**

- [1] Sell, R., Leistritz, L. and Thompson, J. (1996) "Socio-economic impacts of schools consolidation on host and vacated communities". *Agriculture Economic Report* No. 347
- [2] Sustainable Education Review, The Impacts of School Closures Analysis Report, The Moray Council November 2014

November 2019



## Broad Oak Community Primary School

### Presumption against the closure of rural schools

#### Introduction

Broad Oak Community Primary School (Broad Oak) is designated as a rural school under the Designation of Rural Primary Schools (England) Order 2018.

The Department for Education (DfE) statutory guidance ‘*Opening and closing maintained schools*’ November 2019 (the guidance) refers to a presumption against the closure of rural schools. The guidance states:

*“Proposers should be aware that the Department expects all decision makers to adopt a presumption against the closure of rural schools. This doesn’t mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area”*

The presumption against closure does not mean that rural schools cannot be closed by local authorities, but they have a duty to carefully consider the factors set out in the guidance when proposing to close a rural school. These factors are:

- 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. child care 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 local people and the 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.

Each of these factors is addressed below.

#### Alternatives to closure

A number of alternative options were considered by the local authority before agreeing to consult on the proposed closure of Broad Oak. These were included in the consultation document and are set out below:

- **Federation.** Broad Oak is in a federation with Punnetts Town Community Primary School (Punnetts Town) and Dallington CE Primary School (Dallington). Although federations are recognised as a way of enabling smaller schools to work more formally in partnerships to share costs, this has not addressed the financial challenges faced at Broad Oak.

- **Amalgamation.** Consideration was given to amalgamating Broad Oak with Punnetts Town. This option was discounted because there is little pupil movement between the two schools and there is insufficient capacity at either site to accommodate all the pupils on roll across the two schools.
- **Linked infant and junior schools.** Consideration was given to merging Broad Oak with Punnetts Town with one school becoming an infant school and the other a junior school. The local authority's School Organisation Policy states that it is committed to amalgamating infant and junior schools as data analysis shows that overall Key Stage 2 pupil outcomes are higher in East Sussex all through primary schools in comparison to junior schools where children transfer at the start of year 3. As stated above, there is little pupil movement between the two schools and this would not address the low pupil numbers and budget challenges the school faces. For these reasons this option was discounted.
- **Academisation.** In undertaking their due diligence, academy trusts, both local and national, find some small schools to be financially unviable or too isolated to be included in their trust, unless they convert with other small schools as a local hub. Governors have not expressed a desire to academise and no academy trust has approached the local authority about taking the school into their trust. This would not address the low pupil numbers and budget challenges the school faces.
- **No change.** As outlined in the consultation document, Broad Oak has been undersubscribed in each of the last five years and pupil numbers fall significantly short of its published admission number each year. There is very little in-area demand for places at the school. The school faces significant financial challenges, with the governors' three-year budget plan submitted in May 2019 showing a deficit of over £200,000 by 2021/22. An interim estimate of the 2020/21 budget using the current pupil numbers in 2019/20 and the new funding assumptions contained in the announcement from the government shows that, whereas the budget might have been between £370,000 and £375,000 based on pupil numbers built into the school's budget plan, the likelihood is that the budget could reduce to somewhere between £314,000 and £318,000 based on current numbers and will further increase the budget deficit. Governors were unable to provide a strategy to overcome the financial challenge prior to the consultation when pupil numbers were higher; the budget projection is now significantly worse making it even harder for governors to identify a viable solution. Doing nothing is not an option.

A number of alternative options to closure were suggested by respondents to the consultation to address the challenges the school faces. These are set out below and have been categorised according to the following headings.

Those considered unrealistic, costly or outside the control of the local authority or school

- Increase the funding for the school either from local authority resources or by lobbying government, and work with the school to help improve it.

Local authority response: The national funding formula is determined by the government and allocated to local authorities via the Dedicated Schools Grant. The local authority does not have resources to increase funding for the school.

- Re-open the swimming pool to attract more pupils.

Local authority response: Re-opening the swimming pool would be costly both in terms of initial outlay and ongoing running costs which would fall to the school. There is no evidence that a swimming pool would attract more pupils to the school.

- Merge Punnetts Town, Broad Oak and All Saints and St Richard's CE Primary School (ASSR) and build a new school on land in Halley Road, Broad Oak.

Local authority response: The cost of purchasing land and building a new school would be prohibitive and could not be considered a priority within the local authority's agreed capital programme.

- Insist that children from the village go to the school.

Local authority response: The local authority cannot insist that children from the village attend the school.

#### Those considered within the local authority's control / influence

- Lower the PAN at Broad Oak to 15 and invite the local pre-school to move into the spare classroom on site
- Reduce the PANs at Broad Oak and ASSR to 15 and Cross-in-Hand to 30.

Local authority response: While these options would reduce the amount of surplus places in the area it would not address the financial challenges that Broad Oak faces.

- Give the school more time (respondents suggested different timescales) and advertise it better.

Local authority response: The local authority does not believe giving the school more time would alter the situation, decline has been evident over-time, and governors have been unable to identify solutions or present a case for the school's viability.

- Include Broad Oak in the Heathfield school's community area so that children in Heathfield have access to two church schools and two community schools in the area.

Local authority response: This option would not reduce surplus places in the area or address the challenges the school faces.

- Merge Punnetts Town and Broad Oak over two sites, one infant and one junior.

Local authority response: This option was considered prior to consulting on closure but was discounted for the reasons set out above.

- Close Five Ashes which is a smaller school.

Local authority response: Five Ashes does not face the same challenges as Broad Oak in terms of its pupil numbers, surplus places and financial position. Five Ashes is full to capacity and is predicted to remain so. It has no surplus places. Five Ashes is rated good by Ofsted.

- Sell the school's detached playing field to provide a cash boost to the school; and partially develop the school site to release some of the asset.

The DfE '*Advice on standards for school premises*' March 2015 confirms that all maintained schools and academies must provide suitable outdoor space to enable physical education in accordance with the school curriculum and to enable pupils to play outside. Except with the consent of the Secretary of State, local authorities cannot dispose of any playing fields used by a maintained school for the purposes of the school.

#### Those considered within the school's control

- Expand the Woodlands Federation to include other local primary schools or Heathfield Community College
- Academisation
- Develop the school as a community hub.

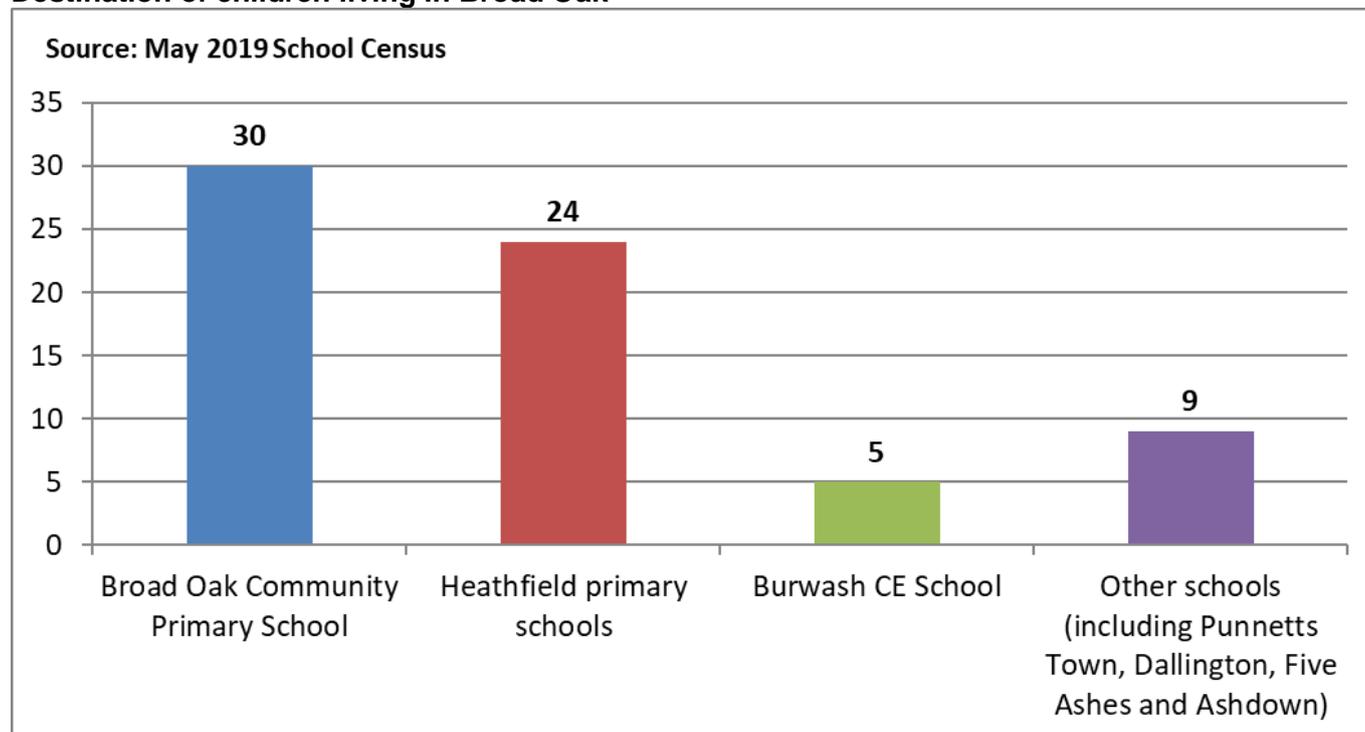
Local authority response: The governing board has given no indication that it is considering any of these options.

## Transport Implications

Some families may be impacted by additional travel costs and travel time. The closure of the school may impact members of the community who would have to go beyond the local village to engage with teachers and use community facilities. Respondents to the consultation cited the impact on traffic and the environment of children having to travel by car to their nearest alternative school.

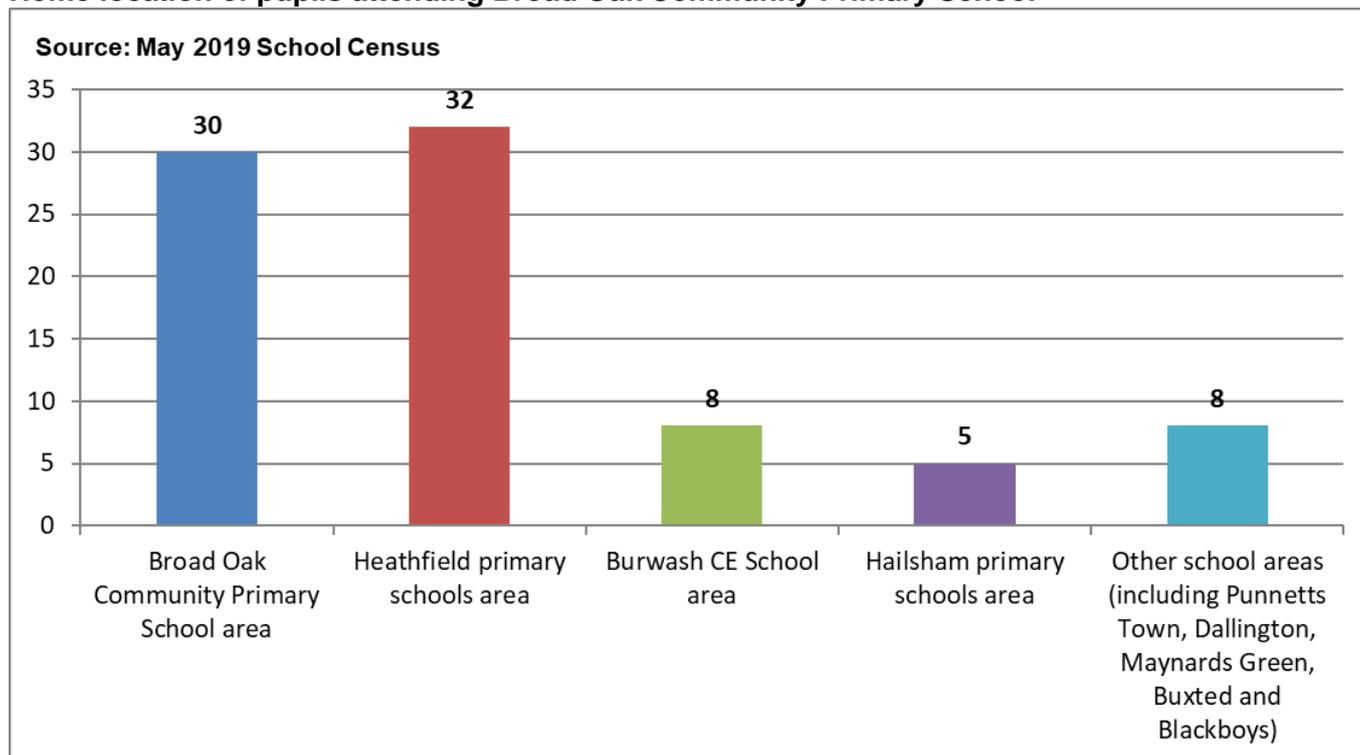
The May 2019 School Census showed 68 children living in the Broad Oak community area attending state funded school in East Sussex. Of these, 30 (44%) attended Broad Oak while 38 (56%) attended other schools in the surrounding area.

### Destination of children living in Broad Oak



The 30 pupils who attended the school in May 2019 made up 36% of the total number of pupils on roll, whereas 53 pupils (64%) lived in areas served by other schools.

## Home location of pupils attending Broad Oak Community Primary School



Alternative schools are between 1.5 and 5.4 miles away from Broad Oak as shown in the table below. For the majority of pupils and families these schools might be nearer to their home address.

School	Distance from Broad Oak Community Primary School in miles (rounded)
All Saints' and St Richard's CE Primary School	1.5
Cross-in-Hand CE Primary School	2.3
Parkside Community Primary School	2.5
Punnetts Town Community Primary School	2.3
Dallington CE Primary School	3.8
Maynards Green Community Primary School	3.5
Mayfield CE Primary School	3.7
Five Ashes CE Primary School	5.4
Burwash CE Primary School	5.1

The majority of pupils currently attending Broad Oak are from outside the school's community area while a number of children living in-area travel to other schools. The majority of children therefore already face journeys to and from school each day. Latest analysis shows that of the 35 Reception to Year 5 pupils likely to be affected by the proposal, approximately 57% live nearer/same distance to an alternative school, with approximately 43% living further away. Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below. The local authority currently estimates five pupils would be eligible for free home to school transport to their nearest alternative school. The cost to the local authority would be negligible as either pupils are already in receipt of free home to school transport or arrangements are already in place to the alternative schools. The local authority acknowledges that some pupils living in Broad Oak and attending the school might face longer journeys to and from an alternative

school each day. However, for many their nearest alternative school is within statutory walking distance.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

It is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers and that, given the majority of pupils would be able to attend a school nearer to their home address it is unlikely there would be a noticeable increase in car usage. To the contrary, it would be hoped that car usage would reduce.

## Size of the school and quality of education

Broad Oak is a small rural school with a published admission number of 20 and capacity for 140 pupils (20 x 7 year groups). At full capacity the school would be expected to have 5 classes. Due to its low pupil numbers the school is currently organised across 3 classes as follows:

Reception, Year 1 and Year 2 class of 12

Year 3 / 4 class of 17

Year 5 / 6 class of 23

Source: School's pupil number return dated 18 October 2019

Broad Oak last received an Ofsted rating of 'good' in 2011. At its last two Ofsted inspections in 2016 and 2018 the school was rated overall as requiring improvement. In 2018 the effectiveness of leadership and management, personal development, behaviour and welfare and early years provision were all rated good. However, quality of teaching, learning and assessment and outcomes for pupils were rated as requiring improvement resulting in the overall judgement of requires improvement.

The local authority has provided a range of support to the school in recent years for teaching and learning and leadership and management. The school also has a progress group in place which provides additional support and monitoring from the local authority.

Prior to 2016 when Broad Oak received the first of its two Requires Improvement judgements, pupil numbers were at or close to the school's capacity of 140. Between 2016 and 2019 numbers declined to 81. Since the start of the current academic year pupil numbers have fallen to 52 (source: the school's pupil number return dated 18 October 2019) meaning there are now 88 (63%) surplus places. 13 Year 6 pupils left the school at the end of the last academic year to be replaced by 5 Reception pupils, a net reduction of 8 pupils. The local authority recognises that the consultation on closure has contributed to the further reduction in numbers.

A section 8 monitoring visit was undertaken at Broad Oak by Ofsted HMI on 8 October 2019, three days before the end of the consultation period. The monitoring inspection was carried out under section 8 of the Education Act 2005 and took place because the school had received two successive judgements of Requires Improvement at its previous section 5 inspections. The key findings of the inspection were that:

*“Senior leaders and governors are taking effective action to tackle the areas requiring improvement identified at the recent section 5 inspection in order for the school to become good.*

*The school should take further action to:*

- *Continue to develop the school's curriculum to ensure that it is coherently planned and sequenced so that pupils are able to know more and remember more as they progress through the school*

- *Ensure that the recent improvements in the teaching of phonics are sustained so that there is a clear focus on ensuring that younger pupils promptly gain the phonics knowledge necessary to read well*
- *Maintain a sharp focus on continuing to improve teachers' subject knowledge to enhance the teaching of the curriculum".*

The monitoring letter also noted the “*Local Authority is providing effective support and challenge to Leaders and Governors to improve the school. Advisers from East Sussex Local Authority are following timely, focused support and guidance in all aspects of the school’s work. Staff training, together with the school’s involvement in specific local authority-led projects, is helping to improve the quality of education in the school.*”

All other schools in the Heathfield area are rated good or outstanding by Ofsted

## The impact on local people and the community

The majority of respondents to the consultation classified themselves as members of the local community. The local authority recognises that the majority of respondents disagree with the proposal to close Broad Oak. The school is seen as an important part of the village and its loss could have an impact on community life. This is addressed in the Community Impact Assessment appended to the Lead Member report.

## School organisation and capacity to accommodate displaced pupils

At the time of writing, the October 2019 school census had not been released by the Department for Education (DfE). In the absence of this official data set the local authority has used the pupil number returns submitted by schools between September and November 2019 to assess, albeit informally, the current capacity at Broad Oak and the surrounding schools.

### Provisional pupil numbers 2019/20

Capacity	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total	Capacity	Surplus	% surplus
		230	230	230	230	230	230	230				
Broad Oak	20	5	1	6	9	8	6	17	52	140	88	63%
All Saints' and St Richard's	20	15	13	13	10	17	6	13	87	140	53	38%
Cross-in-Hand	60	57	37	43	42	56	44	30	309	420	111	26%
Dallington	15	16	13	17	17	18	14	11	106	105	0	0%
Five Ashes	10	10	10	8	7	14	7	7	63	56	0	0%
Mayfield	30	21	21	28	25	21	24	21	161	210	49	23%
Maynards Green	30	30	30	30	30	33	32	30	215	210	0	0%
Parkside	30	30	30	29	31	29	30	30	209	210	1	0%
Punnetts Town	15	15	12	16	12	14	17	10	96	105	9	9%
<b>Totals</b>	<b>230</b>	<b>199</b>	<b>167</b>	<b>190</b>	<b>183</b>	<b>210</b>	<b>180</b>	<b>169</b>	<b>1298</b>	<b>1596</b>	<b>311</b>	<b>19%</b>

Data source: Pupil number returns from schools between September and November 2019.

Pupil numbers at Broad Oak have fallen from 81 in January 2019 to 52, with surplus places increasing to 63%. 13 Year 6 pupils left the school at the end of the last academic year to be replaced by 5 Reception pupils, a net reduction of 8 pupils. The local authority recognises that the consultation on closure has contributed to the further reduction in numbers.

Surplus places in the Heathfield area remain high at 19%. Schools operate most efficiently and effectively when full or nearly full. To this end the local authority seeks to keep the number of surplus places (the number of places in schools that are unfilled) to a minimum. However, it is generally accepted that not all unfilled places in a school are surplus places, but that a small margin of surplus capacity is often allowed to facilitate parental preference, to take account of the fact that schools with available places may not always be in the part of a planning area where the demand is, and to allow for a degree of error in the forecasts. A school is generally considered to be full when it has less than 5% of its places unfilled. This is in line with the National Audit Office report on Capital Funding for new school places published in 2013, where it states:

“It is considered that on average 5 per cent was the bare minimum needed for authorities to meet their statutory duty with operational flexibility, while enabling parents to have some choice of schools”.

In larger towns around one form of entry (30 intake places) is allowed while in other areas around half a form of entry (15 intake places) is allowed although margins vary depending on specific forecasts, capacities and circumstances. This figure is deemed to give the appropriate amount of flexibility in an area and is set against the need to ensure the efficient use of resources. In practice, the amount of surplus places planned for in an area will also take account of local circumstances.

The following tables show the local authority’s projected pupil numbers for the Heathfield area taken from the annual update to its pupil forecasts in July 2019. The local authority’s pupil forecasts take account of housing plans in the area and the likely demand for school places they will generate.

**Reception intake and total number on roll forecasts**

Reception intake forecasts	Combined PAN	2018/19			2019/20			2020/21			2021/22			2022/23		
		Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %
Heathfield primary review area	230	168	62	27%	198	32	14%	197	33	14%	168	62	27%	189	41	18%

Number on roll forecasts	Combined capacity	2018/19			2019/20			2020/21			2021/22			2022/23		
		Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %
Heathfield primary review area	1596	1299	297	19%	1317	279	17%	1347	249	16%	1354	242	15%	1343	253	16%

Source: January 2019 School Census and ESCC Pupil Forecasts 16.07.19

The Heathfield Primary Area Review Area contains the following schools: All Saints' and St Richard's CE Primary School; Cross-in-Hand CE Primary School; Parkside Community Primary School; Dallington CE Primary School; Broad Oak Community Primary School; Five Ashes CE Primary; Mayfield CE Primary School; Maynards Green Community Primary School and Punnetts Town Community Primary School

The provisional pupil numbers in 2019/20 (approximately 1,298) are lower than the numbers projected when the forecasts were finalised in July 2019 (-19). Should Broad Oak close, the combined PAN in the area would reduce to 210 and capacity would fall to 1,456. It is clear from the information above that there would be sufficient places in the surrounding schools to accommodate displaced pupils from Broad Oak. Based on the provisional pupil numbers in 2019/20 surplus places in the area would reduce from 19% to 11%, still well above the level recommended by the National Audit Office.

November 2019

**Report to:** Lead Member for Education and Inclusion, Special Educational Needs and Disability

**Date of meeting:** 23 December 2019

**By:** Director of Children's Services

**Title:** Proposed closure of Fletching CE Primary School

**Purpose:** To report on the outcome of the consultation on the proposed closure of Fletching CE Primary School and to recommend next steps.

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## **RECOMMENDATIONS**

**The Lead Member is recommended to halt the consultation on the proposed closure of Fletching CE Primary School and for the school to remain open.**

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### **1 Background and consultation process**

1.1 A review of primary school provision in East Sussex was undertaken by the local authority during the 2018/19 academic year. The review identified significant concerns about the viability of Fletching CE Primary School (Fletching) in relation to its predicted ongoing budget deficit, the high number of surplus places at the school, and its location in relation to current and projected local pupil numbers. As a result of the review the Lead Member for Education and Inclusion, Special Educational Needs and Disability (the Lead Member) gave approval on [24 June 2019](#) for the local authority to commence a consultation on the proposed closure of Fletching.

1.2 Proposals for closure have to follow a prescribed process established by the Education and Inspections Act 2006 (EIA 2006) as updated by the Education Act 2011 and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013. The consultation began on 5 July 2019. There is no prescribed timeframe for consultation, but the Department for Education (DfE) recommends that it should last for a minimum of 6 weeks. The local authority acknowledged that the consultation period straddled the summer holiday and accordingly extended the consultation period to 11 October 2019, meaning there were a total of 14 weeks of consultation, of which eight were during term time. A copy of the consultation document can be viewed in **Appendix 1** of this report.

1.3 The local authority consulted pupils, parents and carers, staff and trade unions, the governing board and other local school communities. The local authority also consulted a wide range of other groups and organisations including early years providers, the district and parish councils, West Sussex County Council, the local MP, the Church of England and Catholic dioceses and the wider local community.

1.4 Consultation meetings were held with staff, union representatives, parents and carers and the local community on 16 July 2019 to provide further information on the proposal and give interested parties the opportunity to ask questions. Notes were taken at both meetings and a Q&A document responding to key issues raised was produced and posted on the consultation hub for people to view. The Q&A is provided in **Appendix 2**.

1.5 Some questions and comments were received prior to the consultation formally opening. These were addressed through the Q&A on the consultation hub.

1.6 In addition, the local authority sought feedback directly from pupils through a pupil engagement session at the school on 13 September 2019 facilitated by two consultant headteachers. The responses from the pupil engagement session are available for elected members to view in the Cabinet and Members' rooms.

## 2. Analysis of consultation responses

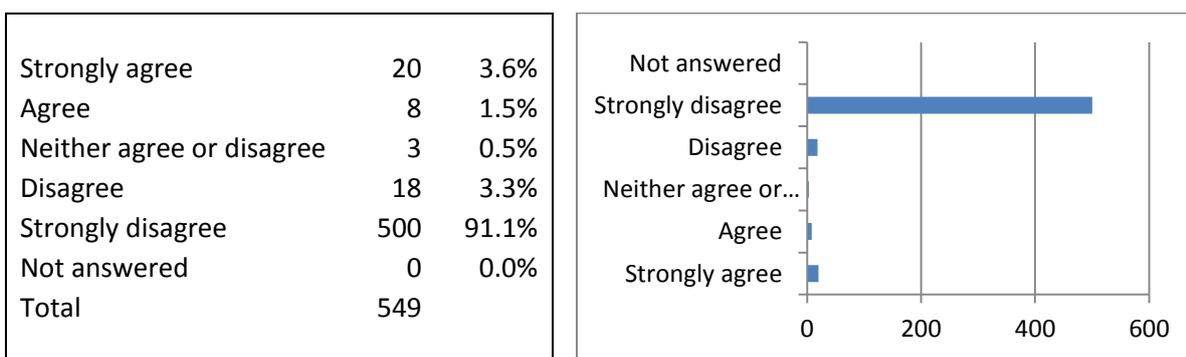
2.1 By the end of the consultation period a total of 611 responses had been received, 549 via the consultation hub and 62 by letter or email to the consultation inbox. A number of individuals also emailed elected members and officers separately and in some cases on more than one occasion. Some respondents chose to complete both the online response form and submit an email / letter response. All of the responses to the consultation are available for elected members to view in the Cabinet and Members' rooms.

2.2 Two responses were received after the consultation closed. These have not been taken into account in the analysis below.

2.3 A petition in relation to the proposed closure of Fletching was submitted containing over 3,000 signatures. Signatories include people living locally, in the UK and across the world. The petition is still [open](#).

2.4 Feedback was overwhelmingly in support of keeping the school open.

2.5 A summary of the 549 consultation hub responses is provided below.

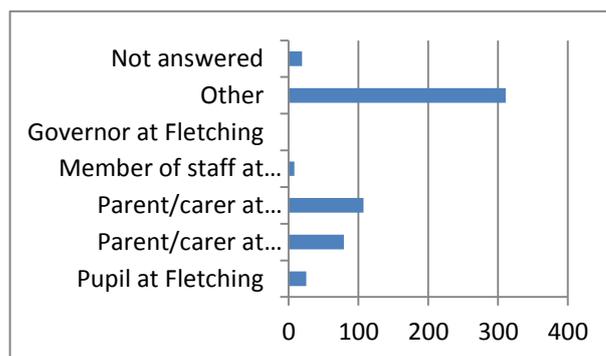


2.6 It would appear from the comments received that 11 of the 20 respondents who ticked 'strongly agree', identified in the table above, actually disagree with the proposal to close the school and simply ticked the wrong box. This would take the total number of objections to 529 or 96%. It is clear that respondents who chose to email and write letters also object to the proposal.

2.7 Respondents who agree that the school should close number 17 or 3% (reduced to take account of those that ticked the wrong box). Those in favour commented that closing the school would help to secure the future of other schools in the local area; that they do not agree with Uckfield parents driving their children to Fletching when there are school places in the town and that pupils would benefit from a different school, with more pupils and more facilities.

## 2.8 Respondents identified themselves as:

Pupil at Fletching	25	4.6%
Parent/carer at Fletching	79	14.4%
Parent/carer at another school	107	19.5%
Member of staff at Fletching	8	1.5%
Governor at Fletching	0	0.0%
Other	311	56.6%
Not answered	19	3.5%
	549	



2.9 The majority of respondents classified themselves as 'other'. Although not everyone that ticked 'other' gave details, at least 84 identified as members of the local community. 57 identified as relatives of staff and/or pupils at the school whilst 47 identified as past parents or past pupils of the school. 'Other' respondents also included, but were not limited to, the local MP, Fletching Parish Council, friends of families and staff at Fletching and governors at other schools.

2.10 In total, 113 online responses were received from pupils, parents and carers and members of staff at Fletching. It could therefore be said that at least 113 of the 549 respondents would be directly affected by the proposal. In addition, many local residents would argue that they too would be directly impacted as they see the school as the heart of the community.

2.11 Although no-one identified themselves as a school governor through the online response form the local authority did receive individual responses from governors via email. The governing board also submitted a response via email.

2.12 The Lead Member is required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 ('the PSED') in considering the proposal to close Fletching. Respondents to the consultation were asked to provide personal information, including information about protected and other characteristics in order to analyse the equality implications of the proposal and to identify appropriate mitigations. The Equality Impact Assessment is attached at **Appendix 3**. Some respondents chose not to provide personal information.

## 3. Key themes and considerations

3.1 A number of key themes and considerations arose from the consultation responses. These are provided below, along with the local authority's response to each point.

### 3.2 Pupil numbers and capacity in local schools

A significant number of respondents argued that there would be insufficient capacity in the local schools if Fletching closed. The data used in the consultation was taken from the January 2019 school census. At the time of writing, the October 2019 school census had not been released by the Department for Education (DfE). In the absence of this official data set, the local authority has used pupil number returns submitted by schools between September and November 2019 to assess, albeit informally, the current capacity at Fletching and schools in the North Chailey area.

## Provisional pupil numbers in North Chailey review area

Capacity	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total	Capacity	Surplus	% surplus
		80	80	80	80	80	80	80				
Fletching	15	5	9	10	10	13	8	14	69	105	36	34%
Chailey St Peter's	20	17	15	17	20	22	23	25	139	140	1	1%
Danehill*	15	13	16	11	11	17	10	18	96	105	9	9%
Newick	30	30	27	33	34	32	30	30	216	210	0	0%
<b>Totals</b>	<b>80</b>	<b>65</b>	<b>67</b>	<b>71</b>	<b>75</b>	<b>84</b>	<b>71</b>	<b>87</b>	<b>520</b>	<b>560</b>	<b>46</b>	<b>8%</b>

Data source: Pupil number returns from individual schools during the 2019/20 academic year.

\* Danehill's capacity takes account of the decision to increase its PAN to 15 with effect from 2020/21 and that the school is already organised to its new PAN.

Fletching has largely maintained its pupil numbers despite the consultation on closure. There has been a net loss of only two pupils since the January 2019 school census.

Reflecting that Fletching takes pupils from a wider area than just North Chailey (including Uckfield and the surrounding area), an analysis of pupil numbers in the wider area is included below.

## Provisional pupil numbers in North Chailey, Uckfield and the surrounding area

Capacity	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total	Capacity	Surplus	% surplus
		365	365	365	365	365	365	365				
Fletching	15	5	9	10	10	13	8	14	69	105	36	34%
Chailey St Peter's	20	17	15	17	20	22	23	25	139	140	1	1%
Danehill*	15	13	16	11	11	17	10	18	96	105	9	9%
Newick	30	30	27	33	34	32	30	30	216	210	0	0%
Bonnors	15	17	20	19	18	14	13	10	111	105	0	0%
Buxted**	30	30	27	23	26	25	30	24	185	210	25	12%
Framfield	15	15	15	9	14	17	12	13	95	105	10	10%
Harlands	30	28	30	24	30	29	26	28	195	210	15	7%
High Hurstwood	15	16	15	15	15	16	15	13	105	105	0	0%
Holy Cross	30	9	15	11	10	19	9	12	85	210	125	60%
Little Horsted	15	17	14	18	17	13	16	13	108	105	0	0%
Manor	60	60	55	61	60	60	59	60	415	420	5	1%
Nutley	15	16	12	17	12	12	16	14	99	105	6	6%
Rocks Park	30	30	30	30	30	30	30	30	210	210	0	0%
St Philips	30	29	30	15	32	27	30	30	193	210	17	8%
<b>Totals</b>	<b>365</b>	<b>332</b>	<b>330</b>	<b>313</b>	<b>339</b>	<b>346</b>	<b>327</b>	<b>334</b>	<b>2321</b>	<b>2555</b>	<b>249</b>	<b>10%</b>

Data source: Pupil number returns from schools between September and November 2019.

\* Danehill's capacity takes account of the decision to increase its PAN to 15 with effect from 2020/21 and that the school is already organised to its new PAN.

\*\* Buxted's capacity takes account of the decision to increase its PAN to 30 with effect from 2020/21 and that the school is already organised to its new PAN.

Surplus places at Fletching remain high at 34%. Schools operate most efficiently and effectively when full or nearly full. To this end the local authority seeks to keep the number of surplus places (the number of places in schools that are unfilled) to a minimum. However, it is generally accepted that not all unfilled places in a school are surplus places, but that a small margin of surplus capacity is often allowed to facilitate parental preference, to take account of the fact that schools with available places may not always be in the part of a planning area where the demand is, and to allow for a degree of error in the forecasts. A school is generally considered to be full when it has less than 5% of its places unfilled. This is in line with the National Audit Office report on Capital Funding for new school places published in 2013, where it states:

*"It is considered that on average 5 per cent was the bare minimum needed for authorities to meet their statutory duty with operational flexibility, while enabling parents to have some choice of schools".*

In larger towns around one form of entry (30 intake places) is allowed while in other areas around half a form of entry (15 intake places) is allowed although margins vary depending on specific forecasts, capacities and circumstances. This figure is deemed to give the

appropriate amount of flexibility in an area and is set against the need to ensure the efficient use of resources. In practice, the amount of surplus places planned for in an area will also take account of local circumstances.

### 3.3 Community area boundaries and housing development

Challenge was made around the relevance of the Fletching community area. Respondents argue that community areas were implemented with the intent of allowing oversubscribed schools to give priority to pupils living closest to them and that they were not intended to imply that a school should serve only families living within the area. They question why Fletching is not considered part of the Uckfield community area.

As an urban area Uckfield is its own community area served by five schools. As a rural school, Fletching, like all other rural areas located in the area surrounding Uckfield, has its own community area. Community areas are designed to give priority to pupils living within the area, not to exclude pupils living outside it. The guidance the local authority publishes as part of the admissions process makes it clear that parents are able to apply for schools in other community areas besides their own; the vast majority of applicants for Fletching in recent years have come from outside its community area which indicates this option is widely understood.

There was also challenge around why the local authority has not consulted on the proposed change to the Published Admission Number (PAN) at Chailey St Peter's CE Primary School (Chailey St Peter's) at the same time as the Fletching closure proposal as respondents believe the two proposals are linked. This was not done because:

- a) In the event that Fletching closed, the local authority would need to analyse which alternative schools parents and carers had applied for to assess whether additional places at Chailey St Peter's would be required, and
- b) The consultation to change a maintained school's PAN is subject to different legislation and timeframes.

The local authority is consulting on a proposal to expand the community area for Chailey St Peter's to encompass the area currently served by Fletching (see 3.5 below).

Respondents also referenced housing developments in Scaynes Hill (55 homes) and Newick (68 homes) in addition to the significant development in Uckfield which could put pressure on places in the area. Taking information from the School Organisation Plan (SOP) 2019-2023 about the predicted number of spare places in Uckfield and using the local authority's published pupil yields from new homes, respondents have concluded that a total of at least 263 new primary school pupils will be living in the area immediately surrounding Fletching with insufficient capacity to accommodate everyone by the end of the SOP period in 2022/23.

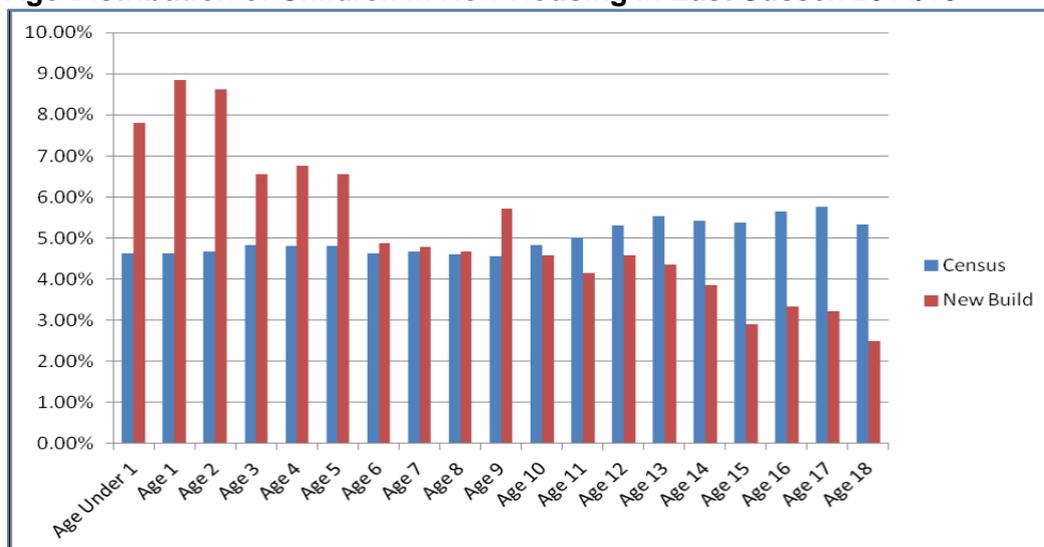
The local authority's published yields from new housing for primary schools are as follows.

- Houses 2 bed+ = 0.25 pupils per dwelling
- Flats 2 bed+ = 0.0375 pupils per dwelling
- Houses / flats 1 bed = 0 pupils per dwelling

Housing trajectory data from Wealden District Council suggests that development in Uckfield will take another eight years to build out. Even if all the dwellings built were 2 bed+ houses and there were 263 additional pupils generated from new homes in the area it will be some years before all of this demand materialises. This is evidenced in the chart below which shows the results of a recent countywide survey of children in new housing developments. Households surveyed had been resident in new housing development for up to six years. When this is taken into account it is clear that many of the children living in new housing

development are born after households move in. This indicates that there is a time lag between new homes being occupied, children being born and the subsequent demand for primary school places. Many of the children arising from new housing built in the wider area in the SOP period to 2022/23 are unlikely to actually impact on primary school pupil numbers until at least the middle of the next decade.

### Age Distribution of Children in New Housing in East Sussex 2014/15



Source: Cognisant Pupil Yield Survey for East Sussex County Council 2014/15; ONS, Age by Single Year, Census 2011

Very few of the children arising from new housing in the area are expected to be in homes built in Fletching Parish. The new housing will be in school admissions areas served by other schools. The majority of the housing planned will be in Uckfield.

As can be seen from the 2019/20 pupil number analysis on page 4 of the report there are currently 249 surplus places across 15 schools in the wider area. In the SOP period to 2022/23, with increases in PANs at Buxted CE Primary School and Danehill CE Primary School and incoming Reception cohorts being lower than the Year 6 cohorts they are replacing, the local authority is forecasting that, even after allowing for those additional pupils from new housing in the area who will more immediately require a primary school place, there will be sufficient places to meet demand.

Should primary school places be required to accommodate children arising from new housing in the wider area over the longer term of the Wealden and Lewes District Local Plan periods, it is appropriate to provide those places closer to where the new housing is being built. The local authority has an option agreement on land for a new school within the Ridgewood Farm development site in the South West of Uckfield (1,000 homes) and will bring forward proposals to create provision to serve the development at the appropriate time.

For clarification, new housing in Newick was included in the North Chailey area review but excluded from the consultation as it is served by Newick CE Primary School rather than Fletching. New housing in Scaynes Hill was not included in the area review and is not considered a material factor in the Fletching closure proposal as it is out of county and the responsibility for school places in that area lies with West Sussex County Council (WSCC). Data tells us that there are fewer than five pupils attending Fletching who live in Scaynes Hill. WSCC has not raised Scaynes Hill as an area of concern for them through the regular place planning meetings the local authority has with its neighbouring authorities.

#### 3.4 Lack of comparative data

Respondents criticised the lack of comparative data and the local authority's perceived unwillingness to share data on other schools considered as part of the area reviews in

response to FOI requests. The local authority took the view that some data about individual schools was considered commercially sensitive and should not be shared as there was a risk that sharing data could negatively impact on or potentially destabilise other schools.

### 3.5 Impact on pupils

The impact on pupils, particularly those with special educational needs (SEN), is a concern for a significant number of respondents. They question the ability of other schools to provide for pupils with additional needs, referencing what they perceive to be the ability of Fletching to understand and accommodate all pupils' needs. There is anxiety amongst parents that other schools would not be able to replicate the SEN offer at Fletching and that some of the pupils now at Fletching have been at other schools in the area where they were not successful. The school has identified a higher percentage of pupils with SEN (27.8%) than the East Sussex primary school average (13.5%).

Chapter 6 of the SEND Code of Practice explains the action that mainstream schools should take to meet their duties in relation to identifying and supporting all pupils with SEN whether or not they have an Education, Health and Care (EHC) plan. Chapters 6.36 to 6.39 of the code state:

*'Teachers are responsible and accountable for the progress and development of the pupils in their class, including where pupils access support from teaching assistants or specialist staff.*

*High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Additional intervention and support cannot compensate for a lack of good quality teaching. Schools should regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.*

*In deciding whether to make special educational provision, the teacher and SENCO should consider all of the information gathered from within the school about the pupil's progress, alongside national data and expectations of progress. This should include high quality and accurate formative assessment, using effective tools and early assessment materials. For higher levels of need, schools should have arrangements in place to draw on more specialised assessments from external agencies and professionals.*

*This information gathering should include an early discussion with the pupil and their parents. These early discussions with parents should be structured in such a way that they develop a good understanding of the pupil's areas of strength and difficulty, the parents' concerns, the agreed outcomes sought for the child and the next steps'.*

The determination of whether a child has SEN is down to individual schools in consultation with parents and the threshold varies between establishments. All schools have the same duties under the Equalities Act 2010 and the Children and Families Act 2014 to identify and provide for pupils with SEN and, unless there are specific provisions named in a statutory plan, which would make admission incompatible with the requirement for reasonable adjustments, it is a legal requirement for all schools to comply. As barriers to learning, that a pupil with SEN might experience, change over time, the local authority would expect provision to adapt and change accordingly and, therefore, the requirements of an individual at any given time are not reflective of those in the future. In some cases, pupils may cease to be identified as having SEN if appropriate adjustments are put in place to enable them to overcome barriers and to make progress in line with their peers.

Should Fletching close it is proposed that, for admissions purposes, the Fletching community area would be merged with the Chailey St Peter's community area. Parents and carers of pupils at Fletching would be able to express a preference for a place at an alternative school

including Chailey St Peter's. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their children to attend. Parents and carers would be offered a school place either at one of their 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 local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would be made in line with the admissions policy as set out in the school admissions booklet which is available on the local authority's website at:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

On 4 November 2019 the Lead Member gave approval for the local authority to consult on a proposal to expand the community area for Chailey St Peter's to encompass the area currently served by Fletching. This is to ensure that, should Fletching close, children living in the school's community area would be able to access a local school. If the decision is taken not to proceed with closure the local authority would not take forward the proposed change to the community areas.

Many respondents also referred to the impact of the proposed school closure on the mental health and wellbeing of pupils, parents and carers and staff. Local authority support is available to schools, pupils and their families for mental health and emotional wellbeing as set out in **Appendix 4**.

### 3.6 Quality of education provision

A number of responses referenced the 'Good' Ofsted rating at the school, and the improvement in outcomes over the last three years, including for those with SEN. The local authority has recently categorised the school as good. The local authority recognises that the school provides a good level of education, as do other schools in the local area. However, the case to consult on the proposed closure of the school was based also on the low pupil numbers, long-term limited in-area demand for places and the high level of surplus places which creates uncertainty and impacts negatively on Fletching and other small schools in the area.

### 3.7 Impact on the community

Significant concern was raised about the impact closure would have on the local community. Examples include:

- The loss of the 'heart of the community' and events such as the Garden Trail, school performances, church events, 'cake and cuppa' and bell ringing.
- The loss of passing trade on the village shop which is about to re-open.
- Impact on traffic and the environment of pupils having to travel by car to their nearest alternative school.
- The potential loss of families with young children moving into the village.
- The impact on the church.

These issues are addressed in the Community Impact Assessment in **Appendix 5**.

### 3.8 Presumption against the closure of rural schools

Respondents argue that the local authority has ignored the presumption against the closure of rural schools, arguing that the case for closure must be strong and in the best interests of educational provision in the area. The DfE statutory guidance '*Opening and closing maintained schools*' updated in November 2019 (the guidance) states:

*"Proposers should be aware that the Department expects all decision makers to adopt a presumption against the closure of rural schools. This doesn't mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area".*

The presumption against closure does not mean that rural schools cannot be considered for closure by local authorities, but they have a duty to carefully consider the factors set out in the guidance when proposing to close a rural school. These factors have been considered by the local authority and are addressed in **Appendix 6**.

### 3.9 Impact on travel arrangements

Impact on travel arrangements is one of the key considerations when proposing the closure of rural schools. Respondents raised concerns about having to travel by car to their nearest alternative school and the impact this would have on traffic and the environment. They argue that it would increase traffic movement not reduce it. However, the majority of pupils currently attending Fletching are from out of the area, while a number of children living in the village travel to other schools. The majority of pupils therefore already face journeys to and from school each day. Latest analysis shows that of the 55 Reception to Year 5 pupils likely to be affected by the proposal, approximately 68% live nearer to an alternative school, with approximately 32% living further away. Should the school close the likely impact on traffic and the environment might potentially be reduced if displaced pupils attend schools nearer to their home address. The local authority acknowledges that some pupils living in Fletching and attending the school might face longer journeys to and from an alternative school each day and that this might increase car usage for these families. For families that live outside of the Fletching community area it is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers. It is hoped that for these families car usage might reduce. The local authority currently estimates that five pupils might be eligible for free transport to their nearest alternative school, although it is recognised that this figure might change if pupils are unable to access a place at their nearest alternative school.

### 3.10 Budget position

The governing board's three-year budget plan, submitted in May 2019, showed the following budget position.

Financial year	End of year
2019/20	-£5,457 Deficit
2020/21	-£62,138 Deficit
2021/22	-£145,863 Deficit

Since the consultation began, the school's PTA has been actively fundraising to try to address the budget deficit to 2020/21. To date they have secured funding commitments totalling £74,368 made up from:

- Fundraising £44,368
- A pledge from the School House Trust for £20,000 spread over two financial years
- A resolution by Fletching Parish Council for £10,000

Taking the fundraising into account, governors submitted a revised budget plan on 8 November 2019 which shows the following budget position.

Financial year	End of year	
2019/20	£40,920	Carry forward
2020/21	-£3,299	Deficit
2021/22	-£39,338 to -£95,588*	Deficit

\* The school's predicted budget deficit in 2021/22 of -£39,000 is based on their assumption of 78 pupils on roll in October 2020. Governors have assumed the school will pick up 15

additional pupils, on top of the estimated 63 on their roll, from new house building in the surrounding area including Uckfield and Newick. As identified in 3.3 above, the local authority does not believe this is achievable within the timeframe. Ignoring the additional 15 pupils and basing the budget on the estimated 63, the deficit in 2021/22 increases to over £95,000. In reality the deficit is likely to be somewhere between the two figures if the school picks up additional pupils without losing anymore.

While the governors latest budget submission largely addresses the school's deficit in 2019/20 and 2020/21 it does not allay the local authority's concerns about the long term viability of the school. The fundraising shown to date has been largely allocated to the current financial year with a large part of it carried forward to next financial year, 2020/21. There is no commitment for further equivalent amounts to be available for future years apart from £10,000 from the School House Trust in 2020/21. These donations / pledges appear to be largely one off in their nature with no ongoing commitment.

The school has already restructured to make savings by moving from four classes to three. The school has not identified where further savings could be made in the future.

#### **4. Alternative Options**

4.1 A number of alternative options were considered by the local authority before agreeing to consult on the proposed closure of Fletching. These included:

- **Federation.** Fletching is in partnership with Chailey St Peter's CE Primary School until August 2020 and could consider federation beyond this. Although federations are recognised as a way of enabling smaller schools to work more formally in partnerships to share costs, the governing board have not presented any plans that demonstrate how a federation would address the financial challenges faced at the school.
- **Amalgamation.** Consideration was given to amalgamating Fletching with Chailey St Peter's. This option would produce the same outcome as the current proposal to close Fletching and merge the two community areas for admissions purposes.
- **Academisation.** In undertaking their due diligence, academy trusts, both local and national, find some small schools to be financially unviable or too isolated to be included in their trust, unless they convert with other small schools as a local hub. Governors have not expressed a desire to academise. The diocese has not indicated any interest in the school becoming an academy in a diocese multi-academy trust. No other academy trust has approached the local authority about taking the school into their trust.
- **No change.** Fletching has been undersubscribed in each of the last five years and pupil numbers fall significantly short of its published admission number each year. There is very little in-area demand for places at the school. The school faces significant financial challenges, with the governors three year budget plan submitted in May 2019 showing a deficit of over £145,000 by 2021/22. Doing nothing will not address the low pupil numbers and the longer term viability of the school. Since the consultation was launched the financial position of the school has changed and this is addressed in 3.10 above.

4.2 A number of alternative options to closure have been suggested by respondents to address the challenges the school faces. These are set out below and have been categorised according to the following headings.

4.3 Those considered unrealistic, costly or outside the control of the local authority or school:

- Ask parents for a subscription type payment
- Make the school a privately funded community school

Local authority response: Fletching is a state funded primary school. It is not allowed to ask parents for a subscription type payment and cannot change its status to become a privately funded school.

- Organise a school bus to run from Uckfield to the school:

Local authority response: Running a bus from Uckfield could be costly and would potentially take children away from their local schools.

- Establish/recognise the specialist SEN provision at the school

Local authority response: The local authority recognises the strength of positive comments regarding how the school meets the needs of pupils with SEN. However, identifying and meeting the needs of learners with SEN is an expectation of all mainstream schools, as set out in the SEND Code of Practice and measured through the East Sussex Quality Mark for Inclusion (ESQMI).

Fletching is a mainstream school; it is not a special school. Although the school identifies a high percentage of pupils requiring SEN support this is a threshold the school sets for additional support. The needs of these pupils are well below the threshold for specialist provision, which requires an Education Health and Care Plan (EHCP). Unlike the threshold for additional needs which is determined at school level, the threshold for EHCPs is managed consistently across the County.

Data indicates that there is limited demand for specialist SEN provision in the area and pupil need is met through existing provision. A specialist facility would not address the challenges that the school is facing as it would not be available to the current Fletching School pupils as they are working above the threshold for that provision.

- Increase the funding for the school either from local authority resources or by lobbying central government

Local authority response: The national funding formula is determined by the government and allocated to local authorities via the Dedicated Schools Grant. The local authority does not have resources to increase funding for the school.

- Build more houses in the local area

Local authority response: The local authority is not responsible for planning house building in the local area, this falls to Wealden District Council as the local planning authority.

- Encourage more families with young children to move to the village

Local authority response: It is not the school's or local authority's role to seek to encourage families with young children to move to the village and indeed the resources required to attempt to do so would be prohibitive and likely to be of little effect.

#### 4.4 Those considered within the local authority's and/or school's control:

- Merge the school with another local school

Local authority response: No further information was provided about the option to merge Fletching with another school so it is unclear how this would address the challenges the school faces.

- Establish a pre-school on the school site to help recruit more pupils

Local authority response: The birth rate in the village is low at less than 7 per annum and there is insufficient demand locally for a pre-school on the school site. As there is no unmet demand in the area, a new pre-school would need to attract children from other providers potentially putting those existing providers at risk.

- Reassign the community area of the school so that it is larger. One suggestion was to merge the community area with that of Newick rather than Chailey St Peter's as it is the closest neighbouring school

Local authority response: Expanding Fletching's community area is unlikely to increase the roll as there are sufficient unfilled places at the school for out of area children. In addition the increase might be at the expense of other schools which would be required to operate within a reduced community area and it is very unlikely they would agree to such a proposal.

- Shut another local school (Holy Cross)

Local authority response: Closing Holy Cross is not an option as it would reduce capacity in Uckfield when 1,000 new homes are to be built there.

#### 4.5 Those considered within the school's / diocese's control:

- Expand the partnership / federation with more schools to share costs
- Academisation
- Seek funds from the Diocese / Church
- Consider the sale of the school house to invest in the school
- Put a road sign on the main road to advertise the school.

Local authority response: These are options for the school and diocese to consider together. The local authority's view on partnership, federation and academisation is referred to under the heading 'alternatives to closure' above. The installation of a road sign would be unlikely to increase pupil numbers; the school is advertised to parents and carers through information provided during the admissions process as is the case for all schools. A significant proportion of pupils who attend Fletching live outside the school's community area. This indicates that parents and carers who do not live in Fletching are already aware of the school; it is unlikely that the installation of a road sign would make a material difference.

## 5. Diocese of Chichester response

5.1 At the time of seeking Lead Member approval to begin consultation on the proposed closure of Fletching, officers from the Diocese of Chichester agreed that this was an appropriate action to take. The Diocesan Board of Education submitted a response to the consultation which *'acknowledges the challenges that the school faces in terms of the high level of vacant places and significant challenges to the school's viability...the Board understands that [the governors] are developing a plan to address the challenges presented by their immediate financial profile...the Board ask that this plan is scrutinised carefully to*

*explore its potential to give the school a chance to demonstrate future viability...If it is obvious that this plan does not present an option for viability, then we acknowledge that the next stage of the process will need to be considered'.*

## **6. Area review criteria**

6.1 The criteria used during the area reviews to identify schools potentially at risk included:

- The quality of provision and outcomes achieved for pupils
- School leadership
- Federations and collaborations
- Financial viability
- The level of surplus places in an area / school
- The location of schools in relation to local pupil numbers
- Parental preference for schools
- Premises

6.2 The key factors relating to Fletching were its predicted ongoing budget deficit, the high number of surplus places at the school, and its location in relation to current and projected local pupil numbers.

6.3 Surplus places remain high and there is a lack of demand locally for places at the school. The governors remain of the view that the school will attract pupils from outside their local area who might otherwise have attended other schools. While they are unable to provide any evidence to support this aspiration they have largely maintained their school roll during the consultation process.

6.4 The budget position for this year and next year has improved. The substantial PTA fundraising effort has allowed the school to avoid a deficit for 2019/20 and significantly improves the 2020/21 year end forecast. However, though comparatively small, the school is still forecasting a deficit in 2020/21 and spending exceeds sustainable income sources year on year. The majority of the fundraising appears to be one off in nature with no demonstrable ongoing commitment beyond 2019/20. The school has already restructured to three classes to achieve budget savings, further restructuring is arguably not possible without impacting on the quality of education being provided.

## **7. Conclusion and reasons for recommendations**

7.1 The consultation responses overwhelmingly object to the proposed closure; there is a clear strength of feeling that the impact on current pupils and the local community would be significant. Substantial fundraising has been undertaken by the community which largely addresses the school's predicated budget deficit in 2019/20 and 2020/21. Pupil numbers at the school have largely been maintained despite the consultation, governors believe that pupil numbers will begin to increase in the coming years as a result of house building in the area, notably in Uckfield.

7.2 Nonetheless, the local authority remains of the view that the school continues to be vulnerable, its budget deficit has only been addressed on a short-term basis through one-off funding and concern remains about the lack of any ongoing committed funding to support the school beyond next financial year. Current forecasts for the school do not suggest it will attract many more pupils from out of area than it has in the past. In-area demand for places remains low.

7.3 Despite this unpromising outlook and taking account of the improved short term budget position, the fact that pupil numbers at the school have largely been maintained and the Diocese of Chichester's position, the local authority recommends to the Lead Member that the consultation on closure is halted and the school remains open.

7.4 In taking this position the local authority strongly recommends that the governing board should continue to address the challenge in relation to the school's budget and fundraising and explore sustainable strategies to attract more pupils to the school. It also recommends that the Diocese of Chichester considers the actions it can take to swiftly and proactively address the local authority's concerns about the fragility of the school, in particular how it might support the school to explore other options, for example, academisation.

7.5 Importantly, the position has not changed with regard to the number of pupils in the surrounding area and there is a risk that while Fletching may succeed to grow its roll over time the cost could be felt by other local schools. As the majority of schools in the surrounding area are Church of England Diocese schools the Diocese might want to consider how it will proactively develop plans to mitigate this risk.

7.6 The consultation outcomes support the local authority's decision to consult on the closure of Fletching. No new information has been made available to challenge the criteria for consultation on closure; that is the ongoing, structural budget deficit, high surplus places and location in relation to current and projected local pupil numbers. It is regrettable that the process has also not brought forward any medium to long term solutions to these challenges. However the consultation process has enabled the governors to create a short-term solution to the challenges at the school which they consider could provide the opportunity to enable the school to become viable in the longer term. The local authority will continue to closely monitor the local area for vulnerabilities that arise from surplus places, should any school(s) show signs of such vulnerability in the future a review of the area may be initiated.

**STUART GALLIMORE**  
**Director of Children's Services**

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LOCAL MEMBERS

Councillor Roy Galley

APPENDICES

Appendix 1 – Consultation document

Appendix 2 – Q&A document

Appendix 3 – Equality Impact Assessment

Appendix 4 – Local authority support available for mental health and emotional wellbeing

Appendix 5 – Community Impact Assessment

Appendix 6 – Presumption report



Have your say on  
a proposal to close  
Fletching CE Primary  
School



The consultation runs from  
5 July to 11 October 2019

# PART ONE

## Introduction

East Sussex County Council has a statutory duty to ensure there are sufficient primary and secondary school places and is committed to working in close partnership with schools, academy trusts, the dioceses and key partners to ensure that the supply of school places across East Sussex is in the right location, is of sufficient size, is viable and of good quality.

We know that schools can face challenges in meeting pupils' needs, particularly where pupil numbers are falling, and that in some cases, changes to the pattern of school organisation in an area can help secure the viability of schools, improve opportunities and raise standards.

On 24 June 2019 the Lead Member for Education and Inclusion, Special Educational Needs and Disability gave approval for a consultation to take place on a proposal to close Fletching CE Primary School with effect from 31 August 2020.

This consultation document is for pupils, parents and carers, staff, governors, the local community and other interested parties. We welcome your views on the proposal. The local authority will consider all the views put forward during the consultation period before a decision is taken on whether to proceed with the statutory process to close the school.

## Background to the proposal

The local authority recently undertook reviews of rural primary school provision in East Sussex. The main focus of the review was the increasing number of rural schools with small and very small pupil numbers. Local demand at those schools was analysed alongside the effect this is having on their viability and capacity to offer a well-balanced, high quality curriculum that meets the needs of their local community and makes best use of public funding.

The review took account of many factors which influence provision in an area. These include:

- The quality of provision and outcomes achieved for pupils
- School leadership
- Federations and collaborations
- Financial viability
- The level of surplus places in an area / school
- The location of schools in relation to local pupil numbers
- Parental choice for schools
- Premises

Fletching CE Primary School is a small, rural Church of England primary school. The school has a published admission number of 15 and capacity for 105 pupils. The information and evidence from the review tells us that the school has been under-subscribed in each of the last five years and pupil numbers fall significantly short of the school's published admission number each year. This means it is difficult for the school to be financially viable and to regularly have good outcomes for pupils. There is little in-area demand for places at the school. The consultation document outlines the data for the school and the reasons for proposing closure.

Data used in the consultation document was taken from the January 2019 School Census. The census, which happens three times each academic year, is a statistical publication. We acknowledge that pupil numbers can fluctuate throughout an academic year but it is important to use data from an official data source taken on the same day for every school. The January 2019 School Census is the most recent, published and verified data available.

# PART TWO

## Pupil numbers and surplus places

In January 2019 Fletching CE Primary School had 71 pupils on roll against a capacity of 105 places. There were 34 (32%) surplus places. This is shown in Chart 1.

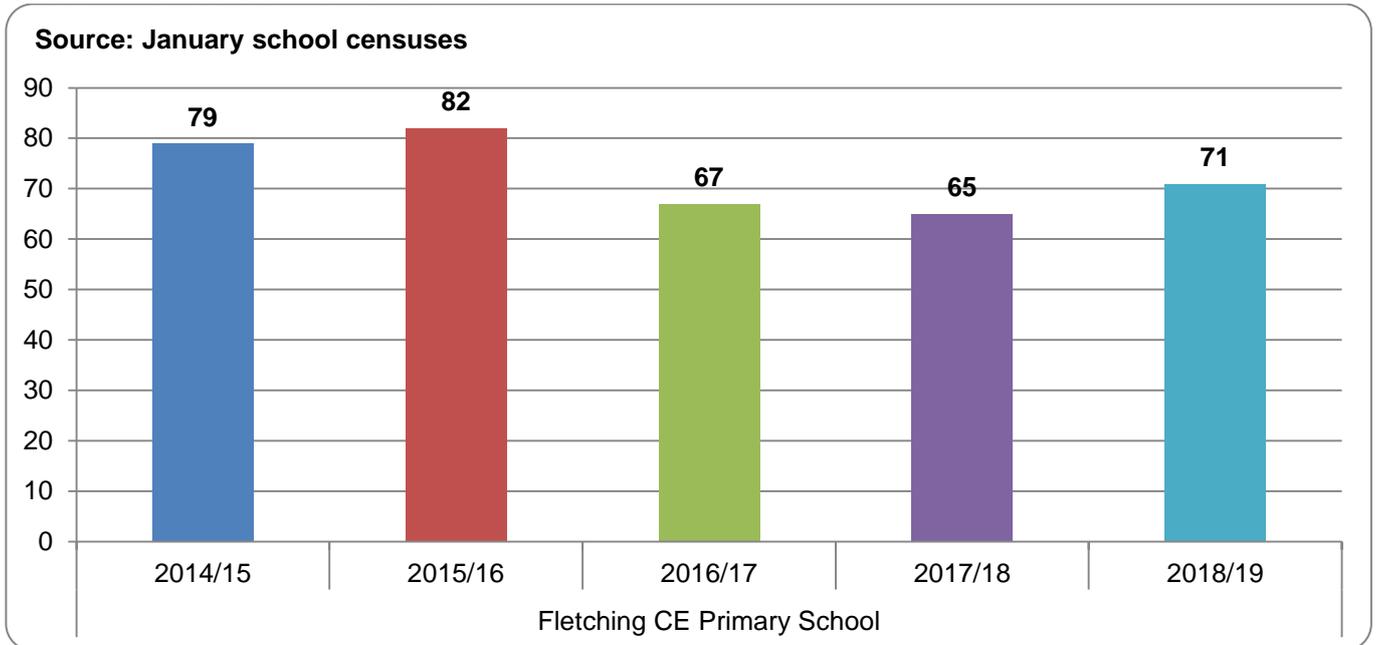
**Chart 1: Pupil numbers 2018/19**

2018/19 pupil numbers and surplus places	PAN	Capacity	2018/19 NOR								Surplus places	% surplus places
			Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total		
Fletching CE Primary School	15	105	10	8	10	11	8	13	11	71	34	32%

Source: January 2019 School Census

Pupil numbers at the school have been significantly below capacity for a number of years. The situation in each of the last five years is illustrated in Chart 2.

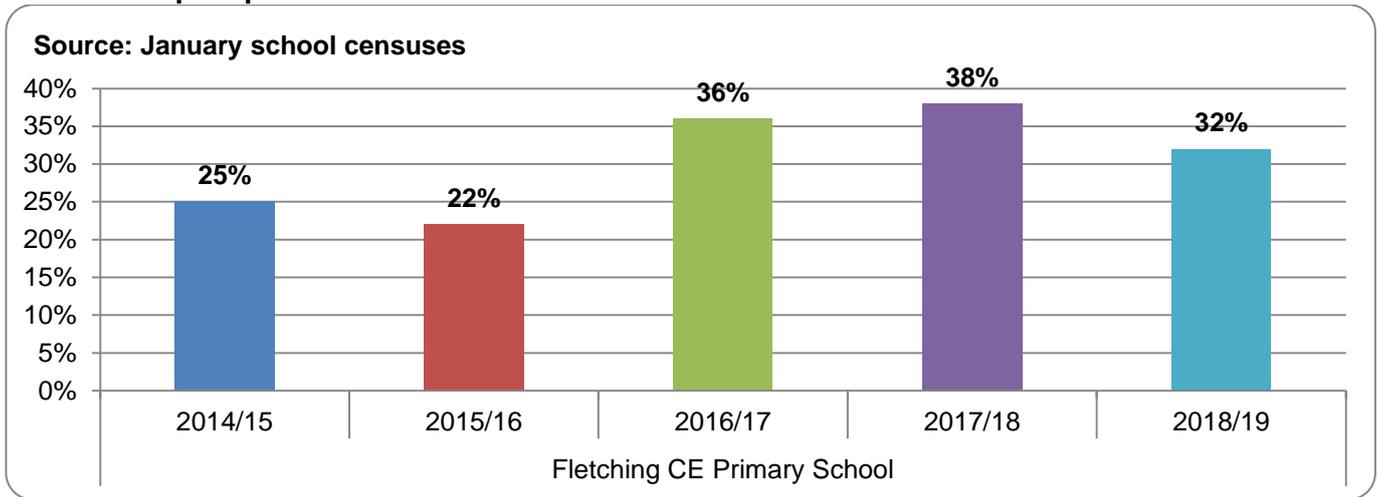
**Chart 2: Numbers on roll over time**



For September 2019, while 11 Year 6 pupils will have left the school, only six children have accepted a place in Reception year, of which two live in the Fletching community area. On this basis there will be nine (60%) surplus places in the school's Reception year by the start of the 2019/20 academic year and overall pupil numbers are expected to fall to below 70.

Falling pupil numbers lead to increasing surplus places. Chart 3 shows the percentage of surplus places at the school in the last five years.

**Chart 3: Surplus places**



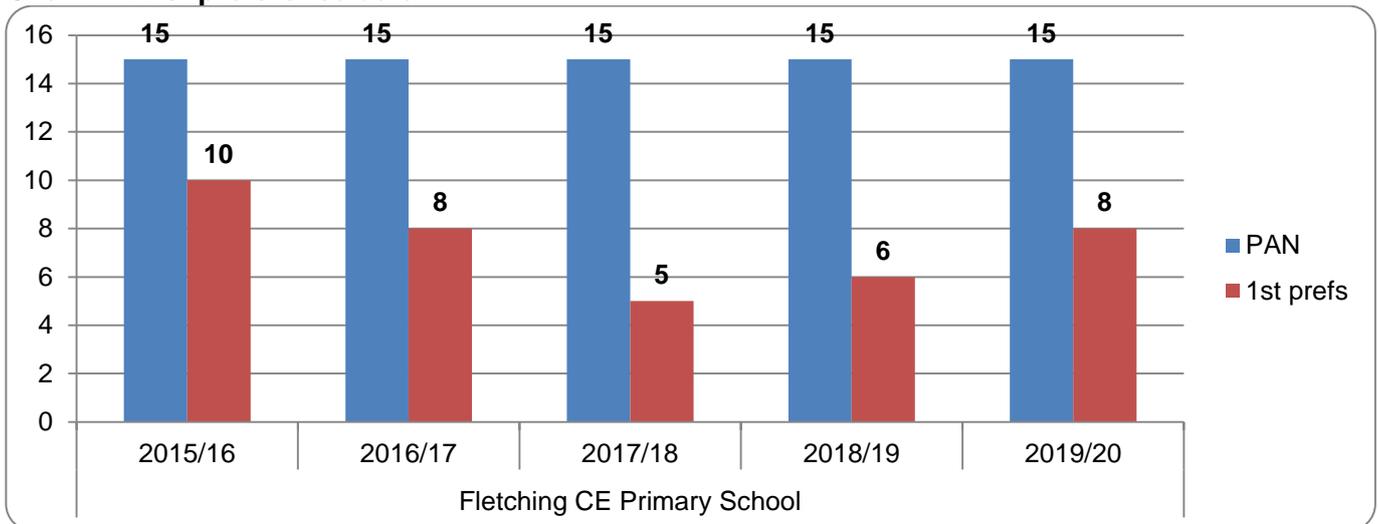
Low pupil numbers are difficult to manage and can lead to irregular class sizes and inefficient staff to pupil ratios. Smaller schools tend to have a higher proportion of fixed costs than larger schools and, as such, have less flexibility to respond to cost pressures, unexpected events, and deficit recovery. With only six children accepting a place in the school’s Reception year for September 2019 we expect the level of surplus places to increase again in 2019/20. Due to its low pupil numbers, Fletching CE Primary School is currently organised in three classes across the school meaning that at least one class has three age groups in it.

The local authority acknowledges that statutory consultation around school closure will cause uncertainty within the school community, which can contribute to a reduction in pupil numbers.

### Parental preference

First preference data reveals Fletching CE Primary School has been under-subscribed in each of the last five years and pupil numbers fall significantly short of the school’s published admission number each year. Chart 4 demonstrates the first preferences in each of the last five years.

**Chart 4: First preference data**



Source: Admissions data

## Pupil home location

In January 2019 there were 42 children living in the Fletching community area attending state funded schools in East Sussex. Of these, 16 (38%) attend schools other than Fletching CE Primary School, their local school. Chart 5 demonstrates this.

**Chart 5: Destination of children living in the Fletching community area**

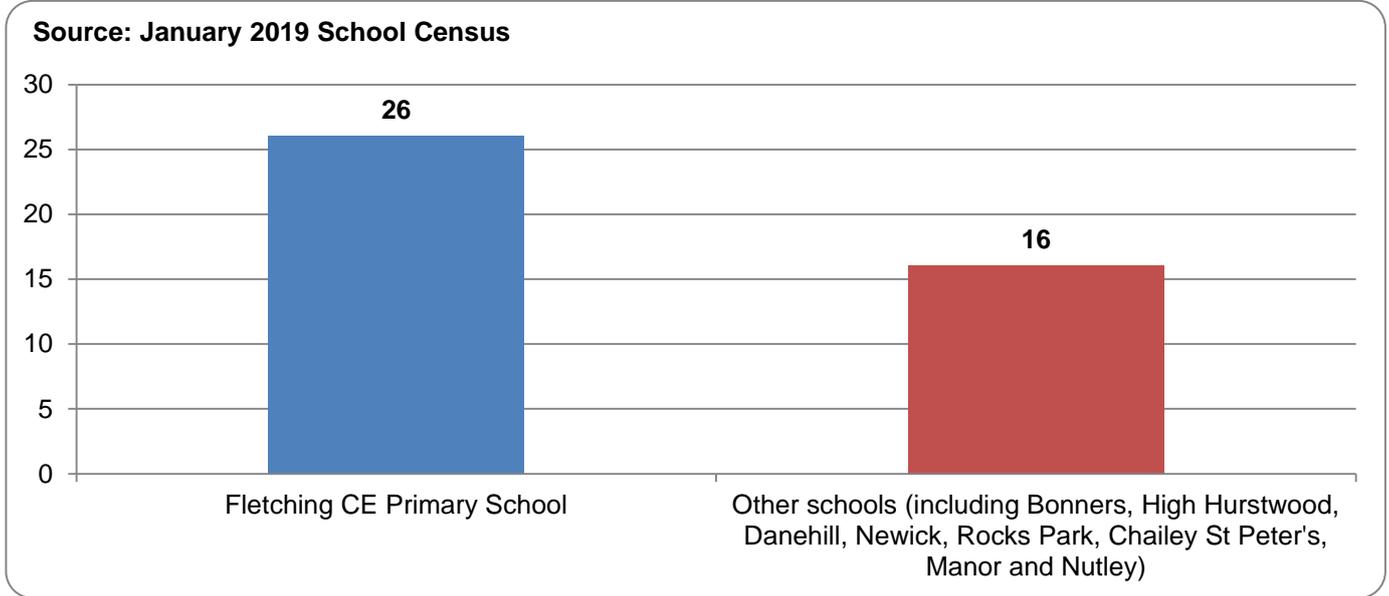
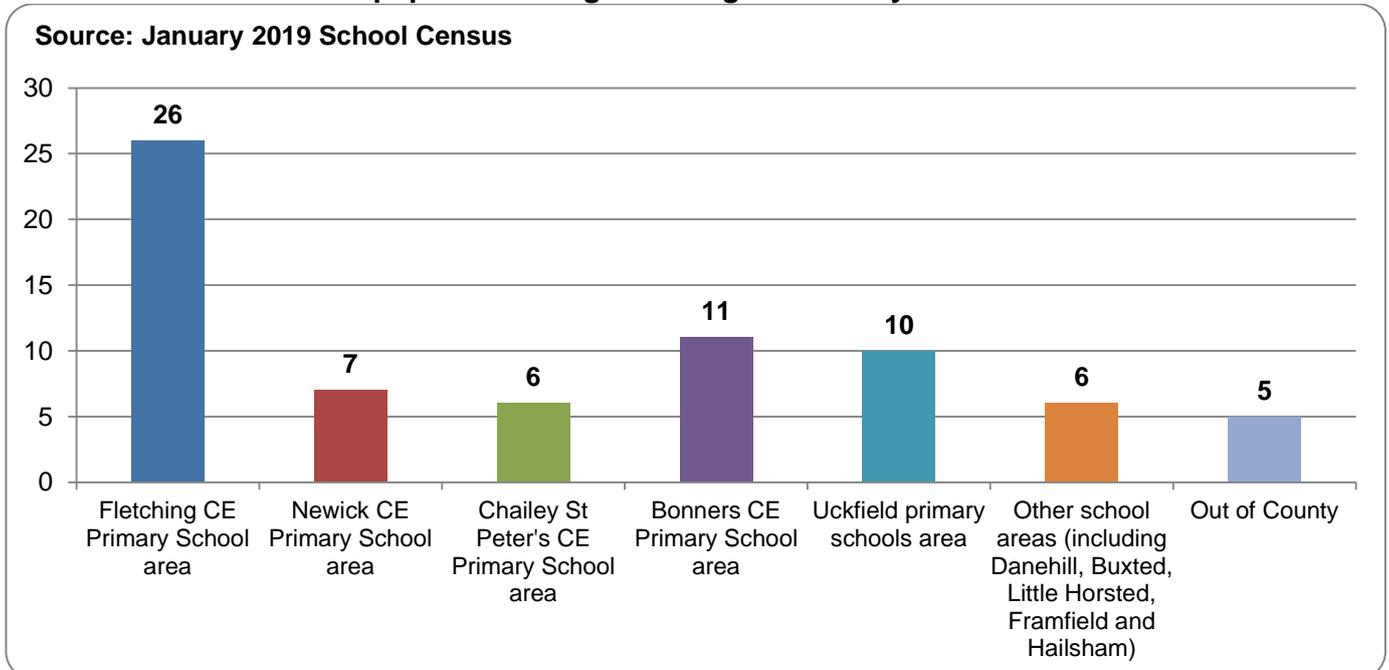


Chart 6 illustrates that Fletching CE Primary School is largely attended by pupils who live outside the school's community area. Only 26 pupils (37% of the number on roll) live in the local area, whereas 45 pupils (63%) live in areas served by other schools, for example: Newick, Chailey, Maresfield and Uckfield.

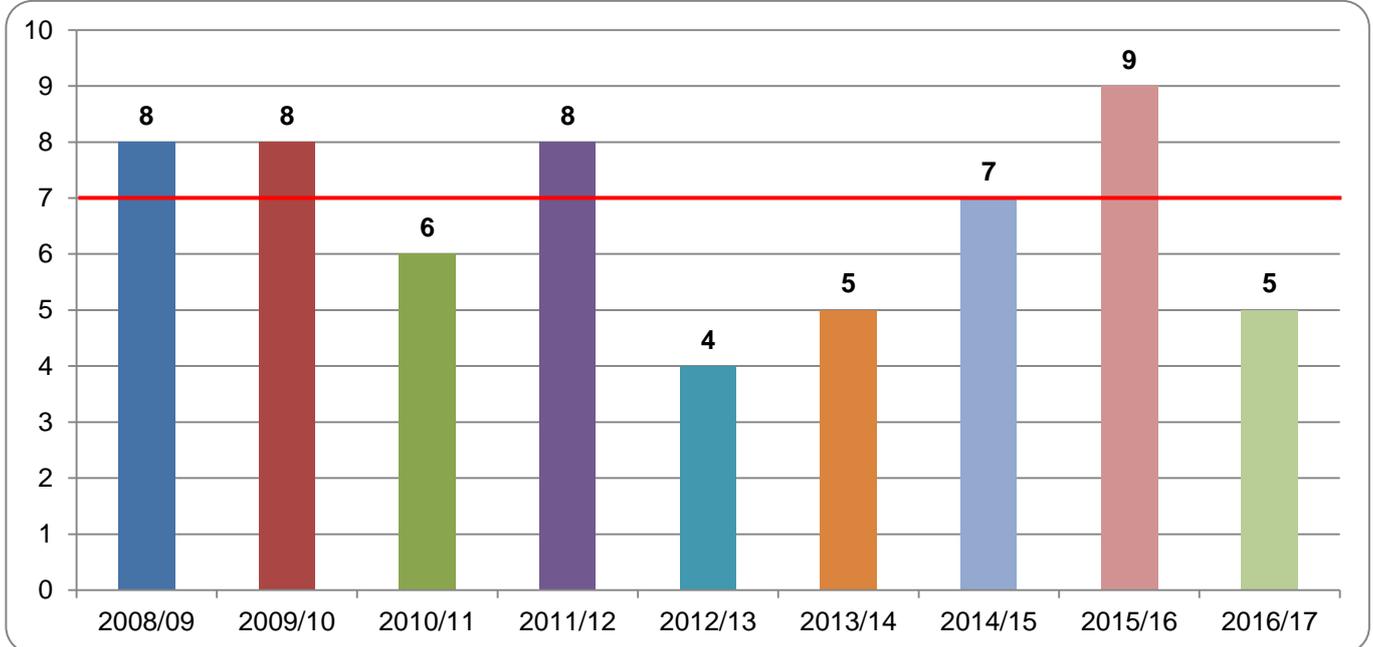
**Chart 6: Home location of pupils attending Fletching CE Primary School**



## Births and housing

Over the last nine years births in the Fletching community area have averaged seven a year, with a high of nine and a low of four. Chart 7 illustrates this. Low birth numbers within the local community mean there is limited local demand for the school.

**Chart 7: Birth rate 2008/09 to 2016/17 in the Fletching community area**



Source: ONS live birth data

Wealden District Council provides regular updates on housing numbers and trajectories to inform our pupil forecasts. The most recent update was provided in spring 2019 and showed that only 8 new homes are planned in Fletching Parish during the Wealden Local Plan period between 2018/19 and 2027/28.

Our published pupil yields from new housing are provided in Chart 8.

**Chart 8: Pupil yields from new homes**

Pupil yield per new dwelling by property type and size	Houses 2 bed+	Flats 2 bed+	Houses / flats 1 bed
Primary schools	0.25	0.0375	0.00

Taking these pupil yields into account and assuming all new homes are houses with two bedrooms or more, we estimate two additional primary age children would be generated from new homes in the Fletching community area over a ten year period. Our pupil forecasts take account of these housing figures and the likely demand for school places they will generate.

## Financial viability

Chart 9 provides an overview of Fletching CE Primary School's three year budget plan, with two years actuals for historical comparison, as submitted by governors to the local authority in May 2019.

<b>Chart 9: Budget plan</b>	<b>2017/2018</b>	<b>2018/2019</b>	<b>2019/2020</b>	<b>2020/2021</b>	<b>2021/2022</b>
Budget Share	353,591	342,551	372,507	363,595	349,092
Carry Forward	44,822	59,754	31,012	-5,457	-62,138
<b>Available Budget</b>	<b>398,413</b>	<b>402,305</b>	<b>403,519</b>	<b>358,138</b>	<b>286,954</b>
Other Income	125,748	87,939	63,228	63,497	64,359
<b>TOTAL REVENUE</b>	<b>524,161</b>	<b>490,244</b>	<b>466,747</b>	<b>421,635</b>	<b>351,313</b>
<b>Staffing</b>	<b>309,029</b>	<b>319,227</b>	<b>336,200</b>	<b>355,766</b>	<b>369,170</b>
<i>% of budget share (exc. carry forward)</i>	<i>87%</i>	<i>93%</i>	<i>90%</i>	<i>98%</i>	<i>106%</i>
<b>Premises</b>	<b>54,382</b>	<b>37,135</b>	<b>40,302</b>	<b>40,302</b>	<b>40,302</b>
<i>% of budget share (exc. carry forward)</i>	<i>15%</i>	<i>11%</i>	<i>11%</i>	<i>11%</i>	<i>12%</i>
<b>Supplies &amp; Services</b>	<b>100,995</b>	<b>100,259</b>	<b>88,445</b>	<b>84,350</b>	<b>84,350</b>
<i>% of budget share (exc. carry forward)</i>	<i>29%</i>	<i>29%</i>	<i>24%</i>	<i>23%</i>	<i>24%</i>
<b>Capital Contribution</b>	<b>0</b>	<b>2,610</b>	<b>0</b>	<b>0</b>	<b>0</b>
<i>% of budget share (exc. carry forward)</i>	<i>0%</i>	<i>1%</i>	<i>0%</i>	<i>0%</i>	<i>0%</i>
<b>TOTAL EXPENDITURE</b>	<b>464,407</b>	<b>459,232</b>	<b>464,947</b>	<b>480,418</b>	<b>493,822</b>
Short Term Contingency	0	0	7,258	3,354	3,354
Long Term Contingency	0	0	0	0	0
<b>C/FWD</b>	<b>59,754</b>	<b>31,012</b>	<b>-5,457</b>	<b>-62,138</b>	<b>-145,863</b>
<i>% of budget share</i>	<i>16.9%</i>	<i>9.1%</i>	<i>-1%</i>	<i>-17%</i>	<i>-42%</i>

The historical and forecast pupil numbers on which the figures are based are included in Chart 10.

### Chart 10: Historical and forecast pupil numbers

Age at start of school year	Actual Numbers			Estimated Numbers	
	Oct 2016	Oct 2017	Oct 2018	Oct 2019	Oct 2020
4	8	7	10	8	8
5	9	7	7	10	8
6	7	9	10	8	10
7	9	6	11	12	8
8	11	11	9	11	12
9	14	9	12	8	11
10	9	14	11	13	8
	<b>67</b>	<b>63</b>	<b>70</b>	<b>70</b>	<b>65</b>

Fletching CE Primary School is facing significant financial challenges. The three year budget plan submitted by governors shows a small deficit in 2019/20 with increasing deficits for the following years. The local authority has been working closely with governors to try to address the budget position and has provided the school with approximately £45,000 of additional support in recent years. The size of the deficit and the lack of scope to address the issues make this plan of significant concern to the local authority.

The low pupil numbers at Fletching CE Primary School are causing significant financial challenges; the effect in 2019/20 is being substantially supported by a carry forward from 2018/19. The school is currently organised in three classes across the school. A further reconfiguration from three classes to two across the school could be complex and would lead to at least one class having four age groups in it.

Fletching CE Primary School's budget share per pupil for 2019/20 is £5,220.60. In East Sussex, the average cost is £3,879.12 per primary pupil. The average budget share per pupil is the funding received from the Department for Education to educate each child in the county.

Budget deficits are expected to be recouped from future year's school budgets. It is difficult to see how the predicted budget deficit at Fletching CE Primary School would be recouped as there is no scope for the school to operate within its means. The school's deficit budget would need to be balanced as part of the overall resources allocated within the Dedicated Schools Grant from the Department for Education, which could reduce resources available to other schools.

## Quality of education

Fletching CE Primary School was rated good at its last Ofsted inspection in 2017.

The local authority has provided a range of support to the school in recent years for teaching and learning, leadership and management, at a cost of approximately £21,000. There are variations in attainment at the school in all key stages; although there is an improving trend, attainment at the end of Key Stage 2 has been consistently below East Sussex and national averages for the last three years.

All primary schools in the area surrounding Fletching CE Primary School are rated good or outstanding by Ofsted.

## Balance of denominational provision

Fletching CE Primary School is a Church of England Voluntary Controlled school. The local authority does not believe the proposal would have a negative impact on the balance of denominational provision and associated parental choice in the area should the school close. There are seven Church of England primary schools in the immediate area surrounding Fletching:

Bonnors CE Primary School, Maresfield	(Voluntary Controlled)
Chailey St Peter's CE Primary School	(Voluntary Controlled)
Danehill CE Primary School	(Voluntary Controlled)
Holy Cross CE Primary School	(Voluntary Aided)
Little Horsted CE Primary School	(Voluntary Aided)
Newick CE Primary School	(Voluntary Controlled)
Nutley CE Primary School	(Voluntary Controlled)

## Admissions and transport arrangements

Should Fletching CE Primary School close on 31 August 2020 it is proposed that, for admissions purposes, the Fletching community area would be merged with the Chailey St Peter's CE Primary School community area. Parents and carers of children at Fletching CE Primary School would be able to express a preference for a place at Chailey St Peter's CE Primary School or an alternative school if they so wish. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their 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. We would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would 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:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

The local authority would seek to increase the published admission number at Chailey St Peter's CE Primary School from 20 to 30. This would be subject of a separate statutory decision-making process.

Free home to school transport would only be provided for eligible pupils who meet the criteria set out in the link below. From our initial analysis we believe the majority of children on roll at Fletching CE Primary School would have a shorter distance to travel to their nearest alternative school and would therefore not be eligible. At this stage the data tells us that fewer than ten children might qualify for free home to school transport. The impact of any free home to school transport on the local authority's transport budget is expected to be minimal as there is already transport provision in place to a number of alternative schools. The criteria can be found on the East Sussex website at:

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

For information about which schools have spare places and whether your child/ren would qualify for free home to school transport please contact the admissions team on 0300 330 9472.

## Alternative options to closure

A number of alternative options were considered before agreeing to consult on the proposed closure of Fletching CE Primary School. These included:

- **Federation.** Fletching CE Primary School is in partnership with Chailey St Peter's CE Primary School and could consider federation. Although federations are recognised as a way of enabling smaller schools to work more formally in partnerships to share costs, we do not believe this would address the significant financial challenges faced at Fletching CE Primary School.
- **Amalgamation.** Consideration was given to amalgamating Fletching CE Primary School with Chailey St Peter's CE Primary School. This option would produce the same outcome as the current proposal to close Fletching CE Primary School and merge the two community areas for admissions purposes.
- **Academisation.** In undertaking their due diligence, academy trusts, both local and national, find some small schools to be financially unviable or too isolated to be included in their trust, unless they convert with other small schools as a local hub. Governors have not expressed a desire to academise and no academy trust has approached the local authority about taking the school into their trust.
- **No change.** As outlined in the consultation document, Fletching CE Primary School has been undersubscribed in each of the last five years and pupil numbers fall significantly short of its published admission number each year. There is very little in-area demand for places at the school. The school faces significant financial challenges, with the governors three year budget plan showing a deficit of over £145,000 by 2021/22. Doing nothing will not address these challenges.

## **PART 3**

### **Closure of schools and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013**

There is a defined statutory process in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 which must be followed before making a decision on the closure of a maintained school. This is supplemented by further guidance on the process published by the Department for Education.

There are five stages to the statutory process which must be followed:

#### **Consultation**

The publication of this consultation document marks a period of consultation during which the views of interested parties are sought and which will be considered by the local authority.

#### **Publication**

Dependent upon the outcome of the consultation, the local authority will decide whether or not to publish statutory notices regarding the proposed closure.

#### **Representation**

The representation period starts on the date of publication of the statutory notice and must last for a period of four weeks. During this period, any person or organisation can submit comments on the proposal to the local authority, to be taken into account before a final decision is taken.

#### **Decision**

Within two months of the end of the representation period the local authority must make a decision on the proposal.

#### **Implementation**

If the proposal is approved, Fletching CE Primary School would close on 31 August 2020.

### **Rural schools and the presumption against closure**

The local authority acknowledges 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 in the best interests of educational provision in the area. There are a number of factors set out in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 that must be taken into account when proposing to close a rural primary school; the local authority has had regard to these and will continue to take them into account during the consultation process.

### **Equality Impact Assessment**

The local authority is required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 (the Public Sector Equality Duty, 'PSED') in determining these proposals. An Equality Impact Assessment will be undertaken as part of the consultation process to identify the equality implications of this proposal and any appropriate mitigation.

## PART 4

### The consultation and decision making process

#### Timescale

<b>5 July to 11 October 2019</b>	<b>Stage one</b> – consultation
<b>December 2019</b>	East Sussex County Council’s Cabinet will consider the results of the consultation and decide whether to publish a statutory notice on a proposal to close Fletching CE Primary School
<b>If required:</b>	
<b>January 2020</b>	<b>Stage two</b> – publication of statutory notice
<b>January to February 2020</b>	<b>Stage three</b> – representation period (four weeks)
<b>March 2020</b>	<b>Stage four</b> – final decision by Cabinet
<b>31 August 2020</b>	<b>Stage five</b> – implementation (closure) if approved

#### Who we will consult

The local authority is consulting with pupils, parents and carers, staff, the governing board, other local schools and trade unions. We are also consulting with a wide range of other groups and organisations including early years providers, the district and parish councils, the local MP, the Church of England and Catholic dioceses and the wider local community.

#### How to share your views

The consultation runs from 5 July to 11 October 2019. You can share your views by:

- Completing the online questionnaire
- Printing and completing a hard copy of the questionnaire and posting it to: **School Consultations, Standards and Learning Effectiveness Service, Children’s Services Department, East Sussex County Council, East G, County Hall, St Anne’s Crescent, Lewes BN7 1UE**
- Emailing the Council at: [school.consultations@eastsussex.gov.uk](mailto:school.consultations@eastsussex.gov.uk)
- Attending a consultation event at **Fletching Village Hall, High Street, Fletching TN22 3SS on Tuesday 16 July 2019 from 7pm to 8.30pm.**

#### Please submit only one response per person to this consultation

This consultation forms stage one of the process required when a school closure is proposed. The information provided in this document, and at the consultation event, is intended to be sufficient for people to form a view on the proposal. East Sussex County Council will consider views and concerns raised during the consultation period before making a decision on whether to proceed with the proposal.

Due to the volume of responses we receive when consulting on school proposals, we will not be able to acknowledge written responses or enter into correspondence with interested parties during or after the consultation period. A list of frequently asked questions will be made available to view online and will be updated throughout the consultation period.

**Thank you**

# Consultation response form

Please submit only one form per person.

**Q1. We are proposing to close Fletching CE Primary School on 31 August 2020. Do you agree or disagree with this proposal? (please select only one)**

- |                          |                           |                          |                   |
|--------------------------|---------------------------|--------------------------|-------------------|
| <input type="checkbox"/> | Strongly agree            | <input type="checkbox"/> | Disagree          |
| <input type="checkbox"/> | Agree                     | <input type="checkbox"/> | Strongly disagree |
| <input type="checkbox"/> | Neither agree or disagree |                          |                   |

**Q2. If Fletching CE Primary School was to close, how would this directly impact on you and your family?**

**Q3. Please let us know if you have any alternative suggestions on how we should address the significant challenges the school faces, as set out in the document.**

**Q4. Are you a...? (please select only one)**

- Pupil at Fletching CE Primary School
- Parent / carer of a child at Fletching CE Primary School
- Parent / carer of a child at another school
- Member of staff at Fletching CE Primary School
- Governor at Fletching CE Primary School
- Other (please say)

## About you

You don't have to answer the questions in this section, but it will help us to make sure that everyone is treated fairly and equally if you do. Your information will only be used and reported anonymously to support the consultation, engagement or feedback activity you are taking part in. We will keep your individual information for a period of up to five years and we won't keep it any longer than is necessary. Please get in touch with the named contact for this activity if you would like more information. Read the full privacy notice here:

[www.eastsussex.gov.uk/privacy/about-you-survey/](http://www.eastsussex.gov.uk/privacy/about-you-survey/)

**Q5. Are you.....?**  Male  Female  Prefer not to say

**Q6. Do you identify as a transgender or trans person?**  Yes  No  Prefer not to say

**Q7. How old are you?**   Prefer not to say

**Q8. What is your postcode?**   Prefer not to say

**Q9. 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"/>	<b>Prefer not to say</b>
<input type="checkbox"/>	Other*	<input type="checkbox"/>	<b>Arab</b>	<input type="checkbox"/>	<b>Chinese</b>	<input type="checkbox"/>	<b>*Other Ethnic Group</b> If your ethnic group was not specified in the list please describe your ethnic group:

## About you

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.

**Q10. Do you consider yourself to be disabled as set out in the Equality Act 2010?**

Yes  No  Prefer not to say

**Q11. If you answered yes to Q10, 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.

<input type="checkbox"/>	Physical impairment	<input type="checkbox"/>	Mental health condition
<input type="checkbox"/>	Sensory impairment (hearing and sight)	<input type="checkbox"/>	Learning disability
<input type="checkbox"/>	Long standing illness or health condition, such as cancer, HIV, heart disease, diabetes or epilepsy		
<input type="checkbox"/>	Other, please specify:	<input type="checkbox"/>	Prefer not to say

**Q12. Do you regard yourself as belonging to any particular religion or belief?**

Yes  No  Prefer not to say

**Q13. If you answered yes to Q12 which one?**

<input type="checkbox"/>	Christian	<input type="checkbox"/>	Hindu	<input type="checkbox"/>	Muslim	<input type="checkbox"/>	Any other religion, please specify:
<input type="checkbox"/>	Buddhist	<input type="checkbox"/>	Jewish	<input type="checkbox"/>	Sikh		

**Q14. Are you.....?**

<input type="checkbox"/>	Bi/Bisexual	<input type="checkbox"/>	Gay woman/ Lesbian	<input type="checkbox"/>	Other
<input type="checkbox"/>	Heterosexual/ Straight	<input type="checkbox"/>	Gay Man	<input type="checkbox"/>	Prefer not to say

**Q15. Are you currently pregnant or have you been pregnant in the last year?**

Yes  No  Prefer not to say

**Q16. If you are over 16, are you married or in a civil partnership?**

Yes  No  Prefer not to say

Thank you for providing this information.

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# Consultation on a proposal to close Fletching CE Primary School

## Questions and Answers

### Consultation process

**Q. Is this really a consultation process or is it a done deal?**

**Is the consultation process open, fair and non-presumptive? Who is responsible for making sure that any consultation process regarding the school you want to close will be fair and credible – how will we know the process is fair?**

A. This is a genuine consultation and we want to hear your views. No decision has been made yet. All responses received during the consultation process will be considered before a decision is made on whether to proceed with the statutory process to close the school. The consultation provides the opportunity to make sure nothing has been missed and see if there is an alternative option that could be considered that places the school in a secure, viable position.

The local authority has a duty to follow a prescribed process when consulting on the closure of a school. Under Section 15 of the Education and Inspections Act (EIA) 2006 a local authority can propose the closure of all categories of maintained school. In doing so a local authority must follow a statutory process set out in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 before making a decision on the closure of a maintained school. There are five stages to the statutory process which must be followed:

- Consultation  
The publication of the consultation document on 5 July 2019 marks a period of consultation during which the views of interested parties are being sought and which will be considered by the local authority. The consultation period lasts until 11 October 2019.
- Publication  
Dependent upon the outcome of the consultation, the local authority will decide whether or not to publish statutory notices regarding the proposed closure.
- Representation  
The representation period starts on the date of publication of the statutory notice and must last for a period of four weeks. During this period any person or organisation can submit comments on the proposal to the local authority which would be taken into account before a final decision is taken.
- Decision  
Within two months of the end of the representation period the local authority must make a decision on the proposal.
- Implementation  
If the proposal is approved, Fletching CE Primary School (Fletching) would close on 31 August 2020.

The local authority acknowledges 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 in the best interests of educational provision in the area. There are a number of factors set out in the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 that must be taken into account when proposing to close a rural primary school; the local authority has had regard to these and will continue to take them into account during the consultation process.

As set out above, the local authority will consult with interested parties in accordance with Section 16(1) of the EIA 2006. All responses received during the consultation period will be shared with Cabinet colleagues who will consider the outcome of the consultation and decide whether to proceed with the statutory process to close Fletching.

**Q. Who is the East Sussex County Council Cabinet and will they make the closure decision?**

A. The East Sussex County Council (ESCC) constitution allows for either the Cabinet or the Lead Member to make the decision; the Lead Member for Education and Inclusion, Special Educational Needs and Disability is Councillor Bob Standley. Cabinet is made up of the Leader of the Council and seven Lead Members, one for each service. For more information on ESCC Councillors and committee membership visit ESCC [‘Your Council’](#).

**Q. What happens between the December and March dates?**

A. If a decision is taken in December to proceed with the statutory process to close the school, a statutory notice would be published in early January 2020. This would trigger a four week representation period when interested parties can object to or comment on the proposal. At the end of the representation period the local authority has two months to make a final decision on whether or not to close the school.

**Q. Why didn’t you start the process earlier with an informal consultation?**

A. This is in effect an informal consultation. Should a decision be made to publish statutory notices the subsequent representation period would be considered a formal consultation. We engaged with schools earlier in the year through the area review process. If we had consulted with interested parties at that stage it would have had the same effect as the present consultation.

**Q. Why was the timing of the consultation changed to run over the school holidays?**

A. The consultation period was originally intended to run from 5 July to 27 September 2019. We have extended the consultation period by a further two weeks to reflect the school holiday. This provides interested parties with eight weeks of term time rather than the minimum recommended six weeks to engage in the process and for alternatives to be considered.

**Q. Will you give the pupils a chance to have their say about the consultation?**

A. We will arrange to come and speak to pupils at the school in September to ensure they have a voice. We will be mindful of any additional needs the pupils may have, particularly in relation to their mental health and wellbeing.

**Q. How much say does the diocese have?**

A. The Diocese of Chichester, as a key partner in education provision in East Sussex, has been fully involved in the reviews of rural primary school provision. Of the 68 rural primary schools in East Sussex 49 are Church of England schools. The diocese agreed that the local authority should consult on the proposed closure of the school. The local authority will listen carefully to the views of the Diocesan Board of Education before deciding whether to proceed with the statutory process to close the school.

## The local area

**Q. What do you mean by the Fletching area?**

A. This is the community area used for admissions purposes. Every address in East Sussex is in a community area served by one or more schools.

**Q. Where can details be found for the admissions area? Can a map showing the area be provided?**

A. The details can be found in the admissions booklet by following this link [apply for a school place](#). A more detailed map is also included at the end of this Q&A document which shows the villages within the Fletching community area.

**Q. Who makes the decision regarding the admissions area?**

A. The local authority determines the admissions areas for all schools for which it is the admissions authority. The local authority consults on its admission arrangements every year and these are approved by the Lead Member for Education and Inclusion, Special Educational Needs and Disability.

**Q. Why are you telling us about the Fletching area if children at the school currently travel from outside the area?**

A. The school relies on attracting pupils from outside its area to boost its numbers as local demand for places is very low.

**Q. Of the 16 children who go to schools outside the Fletching area is it known why this is the case? Is it because of siblings? Some may have left because of the previous headteacher.**

A. We do not hold information on why parents decide to apply for particular schools for their children. However we can see that not all families of children in the Fletching area apply for places at Fletching.

**Q. Although 11 children are leaving from Year 6 there have been 22 in-year transfers. Two more children will be joining Year 5. Six children have been shown round the school even with the ongoing consultation. We do not believe your assessment that the school won't get to 70 is not accurate; there are currently 68 and six more children have been shown round.**

A. We acknowledge that pupil numbers can fluctuate throughout an academic year as pupils leave or join the school, but it is important to use data from an official data source taken on the same day for every school. Using the official school census data released by the Department for Education (DfE) three times a year, we can see there was a net increase of only two pupils (from 70 to 72) at the school during the course of the 2018/19 academic year.

It is encouraging that families of six children have been shown round the school. Unfortunately that does not necessarily mean they will join the school. Our experience tells us that parents will look round a number of schools before making a decision about which one to apply for. Data provided by the school on 11 July 2019 about estimated pupil numbers for September indicates they expect there to be 67 pupils on roll at the start of the new academic year, with only five in Reception.

**Q. How is the school's capacity determined? The school has never had 105 children.**

A. The capacity of a school is determined by its accommodation, floor space and published admission number (PAN). Using the DfE's net capacity assessment form, the capacity at Fletching is assessed to be 105.

**Q. Is it the case that big is beautiful?**

A. The ideal minimum size in terms of provision and financial viability for a primary school is one form of entry (210 places). The DfE will not open new schools that are less than two forms of entry (420 places). There is a place for smaller schools in a predominantly rural county like East Sussex, but they have to be sustainable in terms of long term local demand for places which will in turn give them financial viability.

## Finance and budgets

**Q. What is the potential impact of the government's recent funding announcement for schools?**

A. The government recently announced that in 2020/21 there would be 4% increase in a number of school funding rates (compared to 2019/20) that form part of a school's budget share. While we await more information from the DfE on the detail, an initial analysis by the Council of the potential impact on Fletching CE Primary School suggests that the school could see an increase in its budget share of approximately £2,500 in 2020/21. These estimates have been based on the current funded pupil numbers and do not take into account any fluctuation in these numbers. Therefore, these estimates will be subject to change when the 2020/21 budgets are calculated.

**Q. Is this proposal merely about saving money, does closing the school save money for the Council?**

A. The amount the local authority receives for schools funding is calculated by applying the Government's National Funding Formula (NFF) to each school in the county. Funding comes from the DfE via the Dedicated Schools Grant (DSG). Schools funding is not linked to the Council's revenue budget and the proposals are not driven by the Council making financial savings. We have been working closely with Fletching to try to address its budget challenges and have provided the school with additional funding in recent years.

Budget deficits are expected to be recouped from future year's school budgets. It is difficult to see how the predicted budget deficits at Fletching would be recouped; this year the school has predicted a deficit even though it had the benefit of carrying forward funds from last year. There is no scope for the school to cover its current costs and operate within its means. If the school does not address its budget deficit, the money could only be found from the overall resources allocated to schools, which would reduce the budgets of other schools.

The staffing budget in 2021/22 far exceeds the total budget share and is simply not sustainable. The budget is generated by the number of pupils on roll; the challenge for the school is about low pupil numbers. Without a significant upturn in pupil numbers it is difficult to see how the position can be reversed.

**Q. You state that Fletching has the second highest percentage budget deficit of all primary schools in East Sussex. How does it rank in terms of the value of the financial deficit?**

A. Fletching is the only school predicting a deficit in 2019/20 without a recovery plan. The deficit forecast by year three is the tenth highest in value terms, but second only to Broad Oak in percentage terms.

**Q. Are all small rural schools facing the same problem? How many other schools are expecting to have a budget deficit in year three?**

A. 15% of schools are forecasting a deficit in year two of their plans and 51% in year three. It is a common pattern to see a declining picture in a three year planning period. The size of deficit and scope for addressing it will inform the actual assessment of risk for individual schools. Plans submitted can vary greatly in approach; some will factor in all potential decisions that could be made to ensure a balanced budget, to demonstrate how resources can be managed. Some plans will forecast forward with current structures with no significant changes, this will highlight issues that need to be addressed. Often a plan with a year two or year three deficit is a catalyst to investigate options to ensure the deficit is avoided.

Fletching has been in this position for a number of years foreseeing a budget deficit. Significant changes have been made and further potential savings are now built into plans, however the school is still unable to submit a balanced plan and unable to identify any further savings. This highlights the predicted deficit as being a high risk.

**Q. If Fletching has a deficit surely it will be a larger percentage as they are a smaller school? Larger schools receive more money**

A. It is important to view a school's deficit in terms of percentage as this is a relative measure and gives an indication of the significance of the issue to the individual school involved. A school with a larger budget overall would have more potential to recover a deficit of the same size (i.e. a lower percentage of its overall resources available). For example a small school with a budget of £380,000 will find it harder to find £40,000 (11%) than a larger school with a budget of £1.6m and a deficit of £40,000 (2.5%). Schools receive a delegated budget and therefore only have the resources allocated, it is important that any deficit is put into the context of the overall resources available to the school.

**Q. How do larger schools have more opportunities to address deficits? They have more pupils so have to spend more.**

A. Most of the costs schools incur are fixed up to a certain point. As a very simple example if a school needs a teacher to teach 10 pupils, the same teacher could teach more pupils without costing anymore. If a school needs a photocopier it will cost the same to rent irrespective of how many pupils are in the school. All schools are different but in general larger schools have more flexibility to organise class sizes more efficiently and spread fixed costs further.

**Q. Can staffing be looked at to reduce the cost?**

A. The school has already made difficult decisions regarding reductions in staffing; no further options have been identified in this regard.

**Q. Why is there such a large deficit in three years time?**

A. A deficit in one year reduces the amount of money available in the following year. If the school is already struggling to manage within its resources a deficit carried forward compounds the issue. In 2018-19 Fletching had an in-year deficit (i.e. it spent more than it received) of approximately £30k. This has reduced its reserves so it has less to carry forward. A similar pattern forecast for 2019-20 will use all the remaining reserves and will result in a deficit being carried forward into 2020-21. There are a number of cost pressures particularly around staffing that are contributing to the situation. Increases in staff salaries, national insurance, apprenticeship levy and pensions have impacted on schools budgets for Fletching over a number of years. It is estimated that staff employed would cost approximately £15k per year more now than they would have three years ago due to these changes. It will cost approximately £6k more per annum to

cover the 2% unfunded pay award expected for 2019/20. All these costs compound year on year. This, combined with reduced funding due to lower pupil numbers, means potential for the deficit to grow is significant.

**Q. How much of the school budget should be spent on staffing.**

A. This will be different for each school and is subject to how costs are managed. The DfE quote that staffing costs of 70% of total revenue is a typical level, citing 80% as high. This is to be distinguished from the percentage of budget allocated figure which is often quoted in East Sussex and is typically around 80% to 85%. The total revenue figure can be useful as it acknowledges that some staff may be funded by specific grants (e.g. pupil premium) that lie outside of the delegated budget allocated to a school.

**Q. You mentioned the increase in staffing costs including national insurance contributions. When did national insurance costs increase?**

A. Employers National Insurance costs increased significantly in April 2016. This is when arrangements for contracting out of the State Pension ceased and standard contribution rates became applicable to all employers. Prior to this date, certain employers (linked to pension schemes offered) received an element of rebate (3.4%) for some contributions made and in addition paid a lower rate contribution (3.4% lower than the rate now in force) on a large proportion of payments made. This is a complex area and has a wide range of variables and implications but to illustrate the impact in simple terms, national insurance costs increase by approximately £5k annually based on current staffing at Fletching.

**Q. Is the budget based on assumptions from the Council?**

A. The school builds its own budget which is approved by governors. Financial advice and support is available for schools from the local authority and has already been accessed by the school. The local authority will issue standard advice based on best knowledge around future funding and how certain areas may be forecast. The uncertainty in all areas is highlighted and final assumptions regarding budgets are agreed at school level in this context.

**Q. How are staff assumptions made?**

A. Staff costs are planned on an individual post basis. The school will plan for the staff it currently has and any changes that are planned. A standard template detailed spreadsheet is issued to all schools which builds in current salary information and allows for modelling of increment and inflationary pay rises over three or five years.

**Q. Who makes assumptions regarding staff pay rises and how are these calculated?**

A. The local authority liaises with government bodies to identify as early as possible pay rises for teachers in the following academic year. The information obtained allows schools to use these recommendations to build budgets for the finance year that begins in April. The accuracy of these local authority recommendations is high. A spreadsheet is created with a formula to provide accurate calculations for each member of staff including National Insurance and pension costs. The school populates the spreadsheet with its planned staff information. Inflationary pay rises are built into the standard template spreadsheet at a default rate which can be altered if required. The default rate will be set in the spreadsheet issued and based on the most up to date estimate at the time of issue; this is usually significantly in advance of any agreement on pay rises having been made. For 2019-20 a 2% pay rise has been built in. The spreadsheet was issued in January 2019; as of 22 July announcements confirm that teachers pay will increase by 2.75% and a grant will be awarded by government to cover 0.75%. Therefore the assumption of a 2% unfunded pay award is correctly built in. Any pay increments due to individual staff will be built in by the school.

**Q. Are the assumption made regarding pay rises similar across all schools?**

A. The same spreadsheet is used across all schools with the same grading structures and standard settings.

**Q. The Headteacher has recently helped Chailey St Peter's, has this disadvantaged Fletching? They offered help as the school considered it to be their Christian duty.**

A. The headteacher of Fletching provides leadership support for Chailey St Peter's which Chailey St Peter's pays for. This supports the Fletching budget. The partnership with Chailey St Peter's does not adversely affect the budget.

**Q. Can we revisit the budget?**

A. It is for the governing board to revisit the budget.

**Q. What deficit would be acceptable to county in order for them to stay open? Can the school have a licensed deficit to allow time to see if it could recover?**

A. Due to the way schools are funded any deficit has to be recovered from future years funding. Therefore, schools are expected to present a balanced budget. In unusual circumstances where a deficit cannot be avoided in a given year the school can apply for a 'licensed deficit'. However this can only be approved if supported with a full recovery plan which demonstrates how the deficit will be recovered in the following years, up to a maximum of three years. Fletching governors have been unable to submit a budget that balances within this timeframe.

**Q. Would 90 pupils make the school viable?**

A. Each pupil brings new funding and a higher number of pupils generally helps viability. Each school's circumstances are individual and so this can only be answered with detailed modelling for the individual school, factoring in the planned structure to support 90 pupils. 90 pupils would help enable more efficient class sizes within the current structure. However, this can only be answered in full with detailed modelling including robust assumptions around how pupil numbers could be increased to 90.

**Q. Can the budget deficit be plugged in different ways other than pupil numbers?**

A. Yes. Alternative funding would have to be on a sustainable basis, guaranteed and without conditions to avoid the need for restructuring and redundancies each year.

**Q. Has there been any independent financial advice sought regarding income?**

A. This is the responsibility of the governing board, if they feel income generating strategies are a way to address the financial deficit.

## Education provision including for SEN pupils

**Q. What type of education will my child receive in a school that is closing?**

A. The school would remain open until the proposed closure date and will continue to offer education and support to the pupils and their families in their care. The local authority would work with the school to support the transition of pupils to their new school. We recognise that this is a difficult and upsetting time for pupils and parents/carers.

**Q. We have a high number of SEN children. The school's results do not take into account the number of SEN children. Fletching is an inclusive school and has taken children from other schools where they were made to feel unwelcome. The progress our children make is good. Their journey here is unique. It is not just about attainment but about the journey they make.**

**It is felt the school is where it should be in reading, writing and maths. The figures do not reflect the children with issues who leave the school with communication and life skills. The school is nurturing. Parents choose to come to the school from further afield because of its inclusiveness.**

**Other schools may be able to deal with the volume of children but they would not be able to accommodate SEN children in the same way as Fletching can. The costs will be higher in a larger school.**

**SEN children do better in smaller schools. Parents have moved to Fletching for this reason. EHCPs have not always been needed because the school provides so well for its children. If children are moved to larger schools and cannot cope they may need specialist provision. Has this been taken into account?**

A. We do not under-estimate the impact Fletching has on its pupils with SEN. However, Fletching is a mainstream school and all mainstream schools are required to meet the individual needs of all their pupils, including those with SEN. We recognise that the school has an above average number of pupils with SEN and this will be considered as part of the consultation.

Schools want all pupils to thrive and have access to a range of support to help with their needs. This would be the case for pupils moving from Fletching. Resource is provided within a school's budget for additional needs. The needs are identified in relation to what is required in addition or what adjustments need to be made for the pupil to make good progress. Where pupils have an Education Health and Care Plan (EHCP) the additional funding would follow the pupil to their next school.

For information, the percentage of pupils at Fletching with an EHCP is 1.4%. This is roughly similar to other schools in the local area which vary from 0.9% to 2%.

The identification of pupils with additional needs is a school decision making process and practice in terms of identification varies from school to school.

**Q. Are you questioning the quality of education at Fletching?**

A. No, the quality of education is good, however, the results are below national and East Sussex averages.

**Q. Why are inadequate schools staying open when a good school could close? The data is one pupil away from national average and the quality of education is good. If you take data at face value it is not a true reflection of the school. Good progress is made.**

A. Of the 62 schools included in the area reviews, 60 (97%) are rated good or outstanding by Ofsted. There are several factors taken into account when considering the closure of a school, not just the quality of education. In Fletching's case the information and evidence from the review tells us that the school has been under-subscribed in each of the last five years and pupil numbers fall significantly short of the school's PAN each year. This means it is difficult for the school to be financially viable and to regularly have good outcomes for pupils. There is little in-area demand for places at the school.

All schools in the area surrounding Fletching are rated good or outstanding.

## Data sources and housing

**Q. Where do you get your population forecast statistics from? There are inconsistencies in your population forecasts for this area.**

A. Short term pupil forecasts are based on actual GP registration data and Office for National Statistics (ONS) live birth data relating to children already born. The local authority's longer term pupil forecasts are derived from its population forecasting model (Pop Group Model). Each spring the five local planning authorities provide the local authority with updated housing projections and trajectories for each parish or ward in their District / Borough. This data is used to update the dwelling led population projections which appear on East Sussex in Figures (ESiF) and the Pop Group Model which generates these projections is used to derive local estimates of future births in the absence of GP registration and live birth data. This data is used to forecast longer term pupil numbers.

**Q. The birth rate figures you predict do not match up and you are not taking into account housing developments. Is there planning permission for houses to be built in Fletching?**

**You claim there are only a few houses being built in the local area however, there are houses being built in Newick which is far closer than Chailey. There are also 1,000 homes being built in Uckfield.**

**Can we see the detail of how the housing developments and school places have been factored into the consultation presentation?**

A. Our pupil projections take account of all housing proposals during the Wealden Local Plan period to 2028. Wealden District Council (WDC) provides ESCC with regular strategic data on housing completions and trajectories for every town and parish in Wealden District and this data was used to inform the area reviews. The most recent update was provided in spring 2019 and showed that only 8 new homes are planned in Fletching Parish during the Wealden Local Plan period between 2018/19 and 2027/28.

Our published pupil yields from new housing are provided in the chart below.

<b>Pupil yield per new dwelling by property type and size</b>	<b>Houses 2 bed+</b>	<b>Flats 2 bed+</b>	<b>Houses / flats 1 bed</b>
Primary schools	0.25	0.0375	0.00

Taking these pupil yields into account and assuming all new homes are houses with two bedrooms or more, we estimate two additional primary age children would be generated from new homes in the Fletching community area over a ten year period. Our pupil forecasts take account of these housing figures and the likely demand for school places they will generate.

Using the same pupil yields, the Ridgewood Farm development in Uckfield is estimated to give rise to up to 250 primary school aged children. The Council has a statutory duty to ensure the supply of places is in the right location to meet local demand. The development includes a site for a new school. The Council will ensure that there is sufficient provision locally in Uckfield to meet the need for places arising from the Ridgewood Farm development.

**Q. The developer at the Ridgewood Farm development in Uckfield has said that they will not be building a new school.**

A. An option agreement is in place for the developer to provide a school site and make a financial contribution towards local education infrastructure in Uckfield. The Council will ensure that there is sufficient provision locally in Uckfield to meet the need for places arising from the Ridgewood Farm development. The local authority would commission the construction of a new school building; the developer would not build it.

**Q. Why build a new school if there is capacity in existing schools?**

A. Developers would expect provision to be made in the area local to their development to help to promote the new homes. As stated above, the local authority must ensure there is sufficient provision locally to meet demand for places. Fletching is approximately five miles from the Ridgewood development. If Uckfield children could only access Fletching because there were insufficient places locally, the local authority would have to fund home to school transport for those children. Fletching is too small to accommodate all the children expected to be generated by the Ridgewood development.

**Q. How can the local authority build a new school if they have limited funds available?**

A. Capital funding for new school places comes from the DfE via the Schools Basic Need Grant and is supplemented by other funding such as developer contributions.

**Q. Although there may only be eight new houses being built in Fletching there are lots of farms that have buildings that could be converted into dwellings. There is potential there.**

A. Only eight homes are planned by WDC in the period to 2028. Other developments might come forward such as barn conversions, but we doubt that this would generate significant new homes. The pupil yield would still be low and would not address the shortfall in local demand for places.

**Q. Lots of people are unaware that the school is there. The consultation has attracted parents to the school. Could anything be done to make the Parish Council change its mind regarding building new homes? Can you reverse the housing decision?**

A. The decision on house building rests with WDC as the local planning authority. WDC has designated a large part of Fletching village as a Conservation Area. The north-west half of the parish, including most of Fletching village, is in the High Weald Area of Outstanding Natural Beauty. The entire parish lies within the 7km zone of influence around the Ashdown Forest Special Protection Area and Special Area of Conservation. This is relevant when considering what development is permissible in the parish.

## School places

**Q. Are places available in other schools? / You say there are spare places in local schools but I have contacted local schools and they have said they are full?**

A. There are currently surplus places in a number of schools in the surrounding area to Fletching. There are also surplus places in other areas such as Uckfield where a number of pupils who attend Fletching live. As explained in the report to the Lead Member for Education and Inclusion, Special Educational Needs and Disability on 24 June 2019, we propose to seek to increase the PAN number at Chailey St Peter's from 20 to 30 if the proposal to close Fletching is approved.

Pupil numbers fluctuate throughout an academic year as pupils join and leave schools. For this reason we recommend you contact the admissions team to check which schools have spare places. The team can be contacted on 0300 330 9472.

**Q. Why is Newick CE Primary School over-subscribed? Why do they have classes of over 30?**

A. While there is infant class size legislation for Reception and Key Stage 1, there is no legislation on the size of classes in Key Stage 2. Schools can go over PAN but normally for

specific reasons such as appeals, looked after children and EHCPs etc. Sometimes a school will exceed its PAN to accommodate a child moving into the area in-year.

**Q. Parents received a letter which stated that every child would get a place at Chailey St Peter's CE Primary School. As part of the consultation it mentions that parents can express a preference for a place at Chailey St Peter's CE Primary School. Will our children be granted a place at Chailey St Peter's CE Primary School?**

**Can Chailey St Peter's CE Primary School accommodate 70 extra children?**

A. Parents would be able to express a preference for a place at Chailey St Peter's or an alternative school if they wish. There is sufficient space at Chailey St Peter's for the school to accommodate an extra 70 pupils. The building would not need to be extended to facilitate this. It is proposed to consult separately on a proposal to increase the PAN at Chailey St Peter's CE Primary School from 20 to 30 should this prove necessary.

**Q. How do you know that Chailey St Peter's will not go into deficit? We would not want to move our children there to find them in the same position.**

A. Chailey St Peter's is a larger school than Fletching with a PAN of 20 which could grow to 30. The school is currently operating effectively with no deficit. Having additional pupils would put it in a stronger position.

**Q. Would closing Fletching put more pressure on Chailey and Uckfield?**

A. The decision to consult was made after reviewing all of the schools. As stated above it is proposed to increase the PAN at Chailey St Peter's if required. There are spare places in a number of schools in Uckfield.

**Q. Why are other small schools not being considered for closure? There are so many small schools where will it end?**

A. Clear objective criteria has been used to inform decisions (as listed below), the same criteria has been used to assess the situation of all schools.

- Quality of provision and outcomes for pupils
- School leadership
- Federations and collaborations
- Financial viability
- Pupil numbers and the level of surplus places
- Location of schools in relation to local pupil numbers
- Parental preference for schools
- Premises

East Sussex is a predominantly rural county, but so far only two rural schools have closed. The local authority is not 'working its way through the county closing schools' but we have a statutory duty to provide the right number of school places in the right locations. New schools are built where the housing has dictated they are required. When schools do close it strengthens the remaining schools as their pupil numbers increase.

**Q. So it is not acceptable to send children five miles from Uckfield to Fletching, but it is acceptable to send Fletching children a similar distance to Chailey?**

A. Children living in Uckfield have access to a number of good and outstanding schools locally without the need to travel to Fletching. Every home address in East Sussex is part of a community area served by schools/a school. Should Fletching close, the school's community area would need to be incorporated with another community area and we believe merging it with Chailey St Peter's would create more sustainable local provision for the area.

**Q. Is it easy to get a child a place in a school outside of their area?**

A. You are able to express a preference for any school. If the school has space it is likely that your child would receive a place. If the school is over-subscribed the admissions criteria would be used to determine who should be allocated a place. In the event of oversubscription within any priority, the allocation of places will be decided by prioritising applications on the basis of home to school distance measured in a straight line. For further information please refer to the admissions booklet available at: <https://www.eastsussex.gov.uk/educationandlearning/schools/>

## Options to closure

**Q. Can Fletching CE Primary School federate with Newick CE Primary School?**

A. That would be a decision for the governing board of both schools to make.

**Q. Would other options be considered? The school needs to be promoted more.**

A. Other options would be very welcome. The Headteacher noted that the highways authority had been approached to install a signpost to advertise the school; this was not possible as road signs cannot be used for advertising. The school is promoted along with all schools in the admissions booklet.

**Q. Could the PAN be reduced?**

A. Reducing the PAN would not make a difference. The school is already operating with three classes and is still predicting a deficit budget.

## Impact on the community

**Q. What about the impact of the school closing on the community?**

A. An Equality Impact Assessment will be undertaken as part of the consultation and decision making process to identify the equality implications of this proposal and any appropriate mitigation.

## Home to school transport

**Q. What guarantee will there be for reliable/free transport to other schools?**

A. Free home to school transport would only be provided for eligible pupils who meet the criteria set out in the link below. From our initial analysis we believe the majority of pupils on roll at Fletching would have a shorter distance to travel to their nearest alternative school and would therefore not be eligible. At this stage the data tells us that fewer than ten pupils might qualify for home to school transport. The impact of any free home to school transport on the local authority's transport budget is expected to be minimal as there is already transport provision in place to a number of alternative schools. The criteria can be found on the East Sussex website at: <https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

For information on whether your child/ren would qualify for home to school transport please contact the admissions team on 0300 330 9472.

**Q. How far can we be expected to travel? Do you take account of travel time or travel distance?**

**The road outside Chailey St Peter's CE Primary School is not safe, will that be addressed?**

**Has the extra traffic that would be created by parents having to drive their children further to school been taken into account?**

A. We will provide free transport between home and school if your child is eight years of age or over and lives more than three miles (4,828 metres) from the designated\* school, or two miles (3,218 metres) if your child is under eight years of age. Distances are measured by the shortest available walking route using our Geographical Information System (GIS).

\* The designated school is the school suitable to your child which serves your area, or if there is more than one school, the nearest suitable school to your home where a place is available.

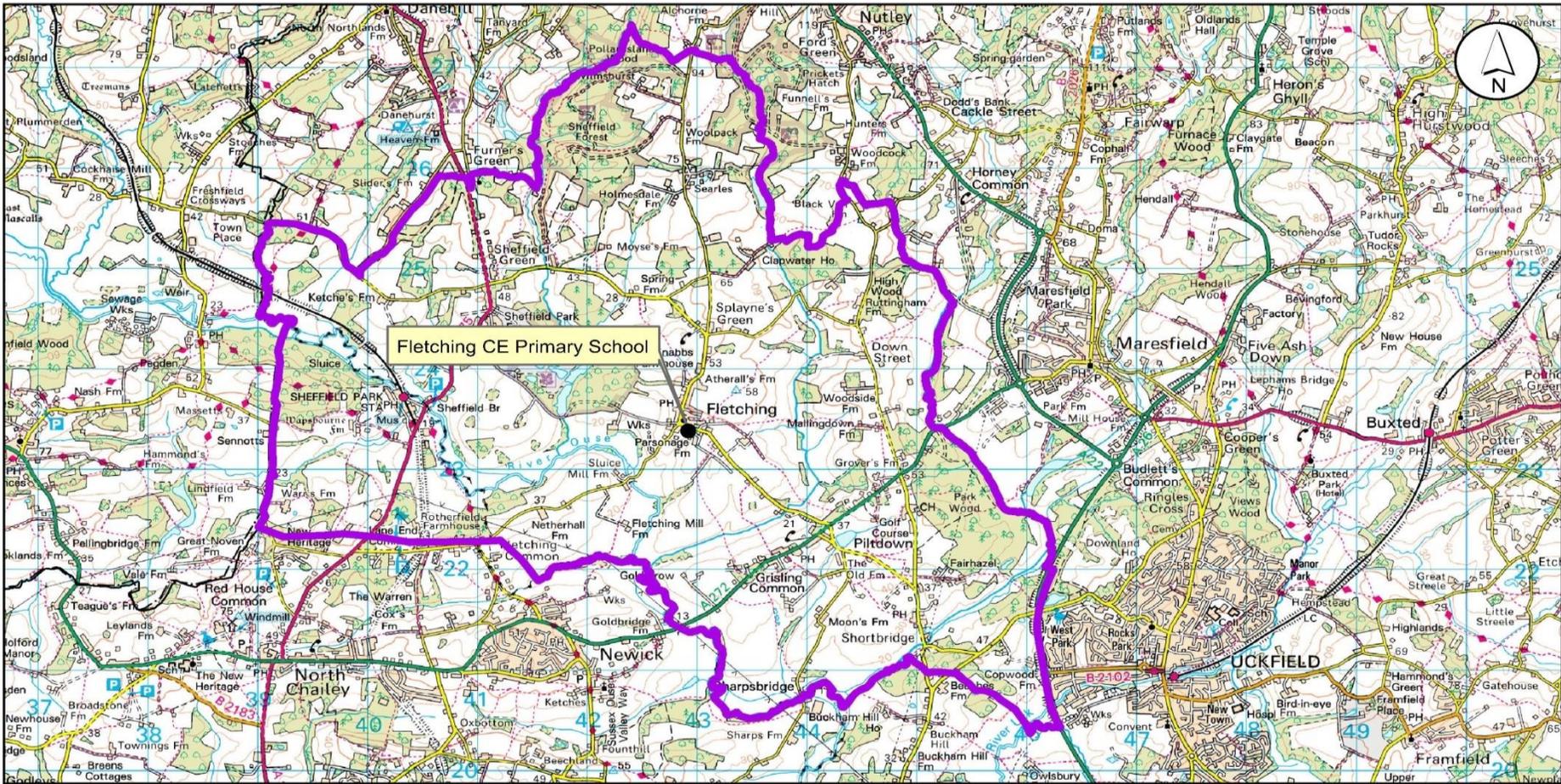
The effect of the proposal on travel and accessibility will be assessed as part of the statutory consultation and considered before a decision is taken on whether to proceed with the statutory process to close the school.

If the route to the new school is deemed unsafe then your child would automatically qualify for help with transport and the likelihood is that there is already a vehicle running to the school which picks up other passengers. This has been factored in to the initial analysis detailed in the body of the consultation.

## **Future of the school site**

**Q. Are you going to build houses on the school site?**

A. As a voluntary controlled school, the site is owned by the diocese/trustees and the local authority (the diocese/trustees own the land encompassing the main building, the old school house and the hard play area). The local authority owns the playing field to the rear of the site. The future use of the site would be a decision for the diocese and the local authority. No consideration has been given at this stage to what might happen to the site should the school close.



East Sussex County Council

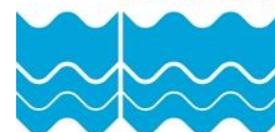
Stuart Gallimore  
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Map showing the pre-defined community area for Fletching CE Primary School

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Date: July 2019

Scale: 1:50,998



## Equality Impact Assessment

Name of the proposal, project or service
<b>Proposed closure of Fletching CE Primary School</b>

File ref:	Fletching CE Primary School	Issue No:	1.0
Date of Issue:	November 2019 but assessment of impact is ongoing	Review date:	

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## **Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)**

**1.1** The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

**1.2** This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, project or service. The other form looks at services or projects.

### **1.3 The Public Sector Equality Duty (PSED)**

The PSED is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (see below for “protected characteristics”)

These are sometimes called equality aims.

### **1.4 A “protected characteristic” is defined in the Act as:**

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

### **1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:**

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21stCentury Families and Communities, 2008]
- Literacy/Numeracy Skills
- Part time workers
- Rurality

## **1.6 Advancing equality (the second of the equality aims) involves:**

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

## **1.7 Guidance on Compliance with the PSED for officers and decision makers:**

1.7.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.7.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.7.3 *Some key points to note :*

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.
- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.7.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

## Part 2 – Aims and implementation of the proposal, project or service

### 2.1 What is being assessed?

#### a) Proposal or name of the project or service.

Consultation on the proposed closure of Fletching CE Primary School.

#### b) What is the main purpose or aims of the proposal, project or service?

To consult on the proposed closure of Fletching CE Primary School (Fletching) on 31 August 2020.

East Sussex County Council has a statutory duty to ensure there are sufficient school places for all children. The [School Organisation Plan 2019-2023](#) sets out the local authority's approach to the organisation and leadership arrangements of schools to maintain the efficiency and effectiveness of provision to ensure that all schools are well placed to deliver high quality education that meets the needs of their local community and makes best use of public funding.

The decision to consult on closure of Fletching was taken in the context of the local authority's review of rural primary school provision undertaken during the 2018/19 academic year and its statutory duty to ensure there are the right numbers of places in the right locations to meet local demand. The local authority also has to look more widely at the organisation of schools to ensure they are well placed to deliver a high quality education to their local community. The area review identified Fletching as being at risk of closure for the following reasons.

Fletching is a small, rural, voluntary controlled primary school. The school has a published admission number (PAN) of 15 and capacity for 105 pupils (15 x 7 year groups). Information and evidence gathered during the area review of primary school places shows that the school has been under-subscribed in each of the last five years and pupil numbers fall significantly short of the school's PAN each year. The school was allocated 9 pupils for September 2019; at the time of writing only 5 are on roll. The 10-year average birth rate in the school's community area is less than 7 per annum (the school's PAN is 15). There is very little house building planned in the area to help grow the birth rate which means there is little in-area demand for places at the school.

At the May 2019 School Census Fletching had 72 pupils on roll, meaning there were 33 (31%) surplus places. Only 26 of the 40 children living in the Fletching community area at that time attended the school, which equated to 36% of the school's number on roll. In comparison, 57% of the school's cohort lived in areas served by other schools, for example: Newick, Chailey, Maresfield and Uckfield, while 7% lived across the border in West Sussex. At the time of writing there are 69 pupils on roll at Fletching meaning surplus places have increased to 36 (34%).

The governing board's three-year budget plan, submitted in May 2019, showed the following budget position.

Financial year	End of year
2019/20	-£5,457 Deficit
2020/21	-£62,138 Deficit
2021/22	-£145,863 Deficit

Since the consultation began, the school's PTA has been actively fundraising to try to address the budget deficit to 2020/21. To date they have secured funding commitments totalling £74,368 made up from:

- Fundraising £44,368
- A pledge from the School House Trust for £20,000 spread over two financial years
- A resolution by Fletching Parish Council for £10,000

Taking the fundraising into account, governors submitted a revised budget plan on 8 November 2019 which shows the following budget position.

Financial year	End of year	
	2019/20	£40,920
2020/21	-£3,299	Deficit
2021/22	-£39,338 to -£95,588*	Deficit

\* The school's predicted budget deficit in 2021/22 of -£39,000 is based on their assumption of 78 pupils on roll in October 2020. Governors have assumed the school will pick up 15 additional pupils, on top of the estimated 63 on their roll, from new house building in the surrounding area including Uckfield and Newick. As identified in 4.1 below, the local authority does not believe this is achievable within the timeframe. Ignoring the additional 15 pupils and basing the budget on the estimated 63, the deficit in 2021/22 increases to over £95,000. In reality the deficit is likely to be somewhere between the two figures if the school picks up additional pupils without losing anymore.

While the governors latest budget submission largely addresses the school's deficit in 2019/20 and 2020/21 it does not allay the local authority's concerns about the long-term viability of the school. The fundraising shown to date has been largely allocated to the current financial year with a large part of it carried forward to next financial year, 2020/21. There is no commitment for further equivalent amounts to be available for future years apart from £10,000 from the School House Trust in 2020/21. These donations / pledges appear to be largely one off in their nature with no ongoing commitment.

The school has already restructured to make savings by moving from four classes to three. The school has not identified where further savings could be made in the future.

### c) Manager(s) and section or service responsible for completing the assessment

Gary Langford, Place Planning Manager, Standards and Learning Effectiveness Service. The Children's Services Senior Management Team has signed off the EqIA to this stage but the process of impact assessment will be ongoing. The Senior Management Team comprises the Director and Assistant Directors of the Children's Services Department

## 2.2 Who is affected by the proposal, project or service? Who is it intended to benefit and how?

The proposal affects pupils on roll at Fletching and their families. Currently there are 69 pupils on roll, illustrated in below.

### Pupil numbers 2019/20

2019/20 pupil numbers	PAN	Capacity	2019/20 number on roll							
			Year R	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Total
Fletching CE Primary School	15	105	6	10	9	12	11	8	13	69

Source: School return dated 4 November 2019

The proposal also affects members of staff at Fletching. Should the school close, a formal consultation would begin with all members of staff, teaching and non-teaching, and trade union representatives in line with the local authority's Managing Change Policy. More information on this is provided in 2.3 below.

The local community is likely to be affected by the proposal. This will be addressed in a separate Community Impact Assessment appended to the Lead Member for Education and Inclusion, Special Educational Needs and Disability (the Lead Member) report.

Local schools would benefit from the proposal as it would provide more certainty to the remaining schools about pupil numbers. The proposal should create a more sustainable network of schools in the local area thereby reducing the risk of more schools becoming unviable.

### **2.3 How is, or will, the proposal, project or service be put into practice and who is, or will be, responsible for it?**

The local authority is responsible for making a final decision on the proposal. On 23 December 2019 the Lead Member will consider the outcome of the public consultation and decide whether or not to continue with the statutory process to close Fletching. If statutory proposals were published for the closure of the school the local authority would determine the proposal (make a final decision closure) in March 2020. If approved, the school would close on 31 August 2020.

The local authority would be responsible for overseeing the process of closing the school and would work closely with the school to implement closure, including supporting pupils during their final months at Fletching and in their transition to a new school. Parents and carers of children at the school would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their 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 local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would 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:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

On 4 November 2019 the Lead Member gave approval for the local authority to consult on a proposal to expand the community area for Chailey St Peter's to encompass the area currently served by Fletching. This is to ensure that, should Fletching close, children living in Fletching community area would be able to access a local school.

Should the decision be taken to close the school, the local authority would consider whether to increase the published admission number at Chailey St Peter's from 20 to 30. This decision would be taken once the local authority had analysed which schools parents had applied for and the likely demand for Chailey St Peter's.

Merging the community area with Chailey St Peter's has been questioned by respondents to the consultation, some of whom believe the school should be part of the Uckfield community area. Others think the area should be part of the Newick CE Primary School area as the nearest neighbouring school. The local authority will consider the feedback carefully before it reaches a final decision on the proposal.

The local authority acknowledges that some pupils living in Fletching and attending the school might face longer journeys to and from an alternative school each day and that this might increase car usage for these families. For families that live outside of the Fletching community area it is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers. It is hoped that for these families car usage might reduce.

Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below. Latest analysis shows that of the majority of pupils likely to be affected by the proposal, approximately 68% live nearer to an alternative school, with approximately 32% living further away. The local authority currently estimates five pupils would be eligible for free home to school transport to

their nearest alternative school although this figure might change if pupils are unable to access a place at their nearest alternative school.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

Should the school close, a formal consultation would begin with members of staff at Fletching and their trade union representatives. The local authority would work alongside the school to ensure that all of the procedures for managing the change process, outlined in the local authority's Managing Change Policy are followed. All staff would be entitled to be considered for redeployment to a suitable alternative post within the local authority for centrally managed roles. For school based advertised vacancies, the local authority would liaise with East Sussex maintained schools regarding the availability of staff at risk of redundancy from 31 August 2020, to seek the agreement of a school with a suitable vacancy to participate in the redeployment process in order to fill the vacancy.

## **2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?**

The Diocese of Chichester, as a key partner in education provision in East Sussex, has been fully involved in the reviews of rural primary school provision. Of the 68 rural primary schools in East Sussex 49 are Church of England schools. Fletching CE Primary School is a Voluntary Controlled school. The Diocese has been a full and equal partner throughout the area review process in giving full consideration of alternative viable options and in the consideration of the decision to consult with key stakeholders about the proposed closure of the school. The Diocese is not a formal decision maker in this proposal.

## **2.5 Is this proposal, project or service affected by legislation, legislative change, service review or strategic planning activity?**

Proposals for closure have to follow a prescribed process established by the Education and Inspections Act 2006 (EIA 2006) as up dated by the Education Act 2011 and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013.

The DfE statutory guidance '*Opening and closing maintained schools*' updated in November 2019 (the guidance) states

*"Proposers should be aware that the Department expects all decision makers to adopt a presumption against the closure of rural schools. This doesn't mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area".*

The presumption against closure does not mean that rural schools cannot be considered for closure by local authorities, but they have a duty to carefully consider the factors set out in the guidance when proposing to close a rural school. These factors are:

- 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. child care 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 local people and the 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.

Fletching is designated as a rural school under the Designation of Rural Primary Schools (England) Order 2018. The local authority has provided evidence in a separate document, appended to the Lead Member report, to show that it has carefully considered each of these factors.

## **2.6 How do people access or how are people referred to your proposal, project or service? Please explain fully.**

As referred to in 2.5 above, proposals for closure have to follow a prescribed process established by the Education and Inspections Act 2006 (EIA 2006) as updated by the Education Act 2011 and the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2013. In accordance with the prescribed process the local authority began a pre-publication consultation on the proposed closure of Fletching on 5 July 2019. There is no prescribed timeframe for consultation, but the Department for Education (DfE) recommends that it should last for a minimum of 6 weeks. The local authority acknowledged that the consultation period straddled the summer holiday and accordingly extended the consultation period to 11 October 2019, meaning there were a total of 14 weeks of consultation, of which 8 were during term time.

Consultation on the proposed closure of Fletching was widely publicised through the local authority's consultation hub, press releases and radio interviews. It was also published on the local authority's digital newsroom and shared on the corporate social media accounts. Hard copy and translated versions of the consultation document were available on request. Letters were written to key stakeholders including pupils, parents and carers, staff, the governing board, other local schools and trade unions. The local authority also consulted with a wide range of other groups and organisations including early years providers, the district and parish councils, West Sussex County Council, the local MP, the Church of England and Catholic dioceses and the wider local community.

Consultation meetings were held with staff, union representatives, parents and carers and the local community on 16 July 2019 to provide further information on the proposal and give interested parties the opportunity to ask questions. Notes were taken at both meetings and a Q&A document responding to key issues raised was produced and posted on the consultation hub for people to view. A number of questions and requests for information were received prior to the consultation formally opening. These were also addressed through the Q&A on the consultation hub.

In addition, the local authority sought feedback directly from pupils through a pupil engagement session at the school on 13 September 2019 facilitated by two of the local authority's consultant headteachers.

A petition in relation to the proposed closure of Fletching has been submitted containing over 3,000 signatures. Signatories include people living locally, in the UK and across the world. The petition is still open.

## **2.7 If there is a referral method how are people assessed to use the proposal, project or service? Please explain fully.**

N/A

## **2.8 How, when and where is your proposal, project or service provided? Please explain fully.**

The Lead Member report and appendices describe the rationale consulting on the proposed closure of Fletching and how alternative arrangements would be made for pupils, families and staff affected by the proposal. The Lead Member must consider the outcome of the consultation before deciding whether to proceed with the statutory process to close the school.

As referred to in 2.5 above, the local authority must follow a prescribed process in proposing the closure of a school. It cannot shorten the process. The proposed date for closure of Fletching is 31 August 2020. If the school closes, the local authority has a legal obligation to educate any child that wishes to remain at the school until the date of closure.

As referenced in 2.3 above, should Fletching close the local authority would be responsible for overseeing the process of closing the school. The local authority would work closely with the school to implement closure, including supporting pupils during their final months at Fletching and in their transition to a new school. Parents and carers of pupils at Fletching would be able to express a preference for a place at an alternative school including Chailey St Peter's. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their 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 local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would be made in line with the admissions policy as set out in the school admissions booklet which is available on the local authority's website at:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

A formal consultation would begin with members of staff at Fletching and their trade union representatives. The local authority would work alongside the school to ensure that all of the procedures for managing the change process, outlined in the local authority's Managing Change Policy are followed. All staff would be entitled to be considered for redeployment to a suitable alternative post within the local authority for centrally managed roles. For school based advertised vacancies, the local authority would liaise with East Sussex maintained schools regarding the availability of staff at risk of redundancy from 31 August 2020, to seek the agreement of a school with a suitable vacancy to participate in the redeployment process in order to fill the vacancy.

## Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

### 3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Types of evidence identified as relevant have <b>X</b> marked against them			
	Employee Monitoring Data		Staff Surveys
<b>x</b>	Service User Data		Contract/Supplier Monitoring Data
<b>x</b>	Recent Local Consultations	<b>x</b>	Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector
	Complaints		Risk Assessments
	Service User Surveys	<b>x</b>	Research Findings
<b>x</b>	Census Data	<b>x</b>	East Sussex Demographics
<b>x</b>	Previous Equality Impact Assessments	<b>x</b>	National Reports
<b>x</b>	Other organisations Equality Impact Assessments		Any other evidence?

### 3.2 Evidence of complaints against the proposal, project or service on grounds of discrimination.

All comments received during the consultation period have been reviewed in the context of completing this EqIA and making a recommendation to the Lead Member about next steps. Three responses to the consultation referenced discrimination:

*'...there is no evidence that it would improve educational outcomes for ALL children. Thus discriminating against families that chose to live in less populated rural areas of the county.'*

*'Our rural environment is threatened and being unfairly discriminated against in favour of larger, urban communities.'*

*'The meeting held by ESCC and interested people was insufficient in length and took place only once discriminating against people with unusual work patterns or other reasons preventing them from attending an evening meeting.'*

Respondents to the consultation were asked to provide personal information, including information about protected and other characteristics, which was used to analyse responses. Some respondents chose not to provide personal information.

The consultation responses demonstrate that the majority of parents, pupils, staff, and the local community are against the proposed closure citing reasons such as the impact of the proposals on individual pupils and those with SEN; the impact of the proposals on the local community and the loss of choice for parents. Concerns were also raised relating to the impact of the housing development in the surrounding area most notably Uckfield and the impact closure of the school would have on traffic, transport and the environment.

### **3.3 If you carried out any consultation or research on the proposal, project or service explain what consultation has been carried out.**

The local authority undertook a review of rural primary school provision in East Sussex during the 2018/19 academic year. The principal focus of the review was the increasing number of rural schools with small and very small cohorts, the local demand for places at those schools and the effect this is having on their viability and capacity to offer a well-balanced, high quality curriculum that meets the needs of their local community and makes best use of public funding. The local authority is committed to working in close partnership with schools, the dioceses and key partners to ensure that the supply of school places across the county is in the right location, is of sufficient size, and is viable and of good quality.

In partnership with the Diocese of Chichester, the local authority reviewed 12 areas of the county containing a total of 62 rural schools. The areas were based largely on the former School Organisation Plan areas and the geography of schools.

The review took account of many variables which influence provision in an area. These include:

- the quality of provision and outcomes achieved for pupils;
- school leadership;
- federations and collaborations;
- financial viability;
- the level of surplus places in an area / school;
- the location of schools in relation to local pupil numbers;
- parental choice for schools; and
- premises.

Sustainability of schools is not just about financial viability but also the ability of schools to make appropriate provision and secure good outcomes for all pupils over time. Consideration of this was an important part of the area review process. The local authority's strategy of supporting schools into federations has helped strengthen a number of small schools; however federation does not provide an answer for all the financial challenges schools face.

Whilst the review was not driven by the need for the local authority to make financial savings, the need to ensure that schools can provide a financially viable, high quality education is very important and was one of the key considerations of the review. Notwithstanding this, there are cost implications for the local authority where schools are experiencing challenges in relation to sustainability. This involves additional activity undertaken by the local authority with regard to advice and guidance to school leaders and governors about restructuring, budgeting and class organisation to support schools in the short term. This type of support cannot be considered a long term strategy and there is a reputational risk to the local authority if appropriate action is not taken in a timely manner which is then required at a future date.

A number of rural schools have, or are predicted to have, significant surplus places (25% or more) and are facing real challenges in terms of their financial viability and their capacity to offer a well-balanced, high quality curriculum. Surplus places impact negatively on all sizes of schools in rural areas because it can lead to a fluctuation in pupil numbers.

Between January and March 2019 the local authority, in conjunction with the Diocese of Chichester, undertook a series of engagement sessions to share with schools data for their area and to hear about the challenges and opportunities schools face now and in the future. Every session was well attended by headteachers and governors, with only one school across the twelve areas not attending.

At each meeting the local authority presented data on pupil numbers, surplus places, pupil distribution, parental preferences, births and housing. The local authority also asked school

colleagues to consider the strengths, challenges, opportunities and threats of being a rural school in their area. Some general themes came out of the analysis such as:

- strengths – centre of the community, caring and nurturing, knowing every family and child, strong links to the church and diocese;
- challenges – fluctuating pupil numbers, budget pressures, school buildings, staff workload (leadership of several subjects);
- opportunities – expansion of existing partnerships / federations, rationalisation of provision – fewer, more viable schools, sharing best practice, amalgamation of schools; and
- threats – high levels of Special Educational Needs pupils, the birth rate, staff and governor recruitment, doing nothing.

In addition to the feedback provided at the meeting, schools were given the opportunity to send written representations following the engagement sessions. Responses were received from 6 schools. In May 2019 the local authority and the Diocese of Chichester visited a small number of schools for more detailed discussions about the challenges facing individual schools. Throughout the review schools were kept informed of progress through a number of Virtual Schoolbag updates during the 2018/19 academic year.

The local authority and the Diocese of Chichester considered feedback from the engagement sessions and from subsequent meetings with schools. A range of options were considered including changing PANs, potential mergers of two or more schools and reconfiguration of infant and junior phases across a number of schools. The local authority and the Diocese of Chichester concluded that in two areas – Heathfield and North Chailey – school closure proposals should be brought forward and this was approved by the Lead Member for Education and Inclusion, Special Educational Needs and Disability on 24 June 2019. For the remaining ten areas no school closures are required either because the total surplus capacity is within tolerable levels, none of the individual schools in the area have significant surplus places or because other actions have been identified that will reduce capacity and / or address viability in an area.

As referred to in section 2.6 above, the local authority undertook a pre-publication consultation on the proposed closure of Fletching between 5 July and 11 October 2019

### **3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the proposal, project or service?**

By the end of the consultation period a total of 611 responses had been received, 549 via the consultation hub and 62 by letter or email to the consultation inbox. A number of individuals also emailed elected members and officers separately and in some cases on more than one occasion. Some respondents chose to complete both the online response form and submit an email / letter response. All of the responses to the consultation are available for elected members to view in the Cabinet and Members' rooms.

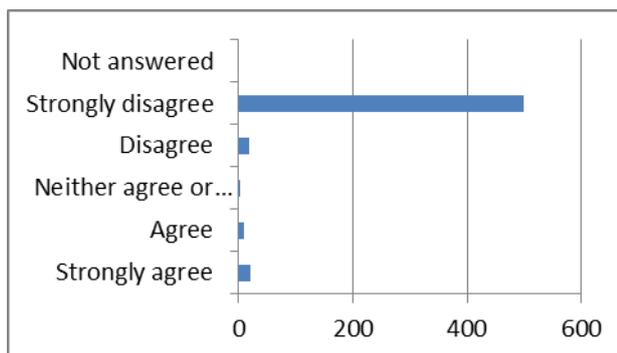
Two responses were received after the consultation closed. These have not been taken into account in the analysis below.

A petition in relation to the proposed closure of Fletching was submitted containing over 3,000 signatures. Signatories include people living locally, in the UK and across the world. The petition is still [open](#).

Feedback was overwhelmingly in support of keeping the school open.

A summary of the 549 consultation hub responses is provided below.

Strongly agree	20	3.6%
Agree	8	1.5%
Neither agree or disagree	3	0.5%
Disagree	18	3.3%
Strongly disagree	500	91.1%
Not answered	0	0.0%
Total	549	

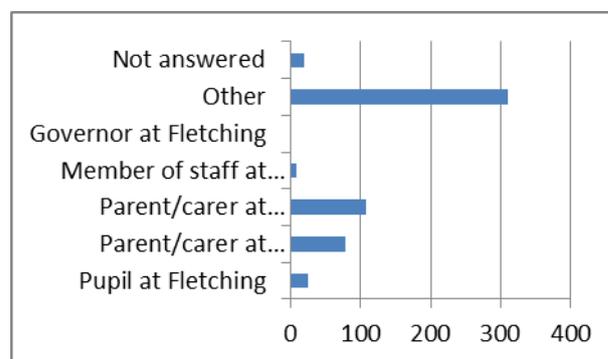


It would appear from the comments received that 11 of the 20 respondents who ticked 'strongly agree', identified in the table above, actually disagree with the proposal and simply ticked the wrong box. This would take the total number of objections to 529 or 96%. It is clear that respondents who chose to email and write letters also object to the proposal.

Respondents who agree that the school should close number 17 or 3% (reduced to take account of those that ticked the wrong box). Those in favour commented that closing the school would help to secure other schools in the local area; that they do not agree with Uckfield parents driving their children to Fletching when there are school places in Uckfield and that children would benefit from a different school, with more pupils and more facilities.

Respondents identified themselves as:

Pupil at Fletching	25	4.6%
Parent/carer at Fletching	79	14.4%
Parent/carer at another school	107	19.5%
Member of staff at Fletching	8	1.5%
Governor at Fletching	0	0.0%
Other	311	56.6%
Not answered	19	3.5%
Total	549	



The majority of respondents classified themselves as 'other'. Although not everyone that ticked 'other' gave details, at least 84 identified as members of the local community. 57 identified as relatives of staff and/or pupils at the school whilst 47 identified as past parents or past pupils of the school. 'Other' respondents also included, but were not limited to, the local MP, Fletching Parish Council, friends of families and staff at Fletching and governors at other schools.

In total, 113 online responses were received from pupils, parents and carers and members of staff at Fletching. It could therefore be said that at least 113 of the 549 respondents would be directly affected by the proposal. In addition, many local residents would argue that they too would be directly impacted as they see the school as the heart of the community.

Although no-one identified themselves as a school governor through the online response form the local authority did receive individual responses from governors via email. The governing board also submitted a response via email.

## Part 4 – Assessment of impact

### 4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

#### a) How is this protected characteristic reflected in the County/District/Borough?

The overall population in East Sussex has grown steadily in the last 10 years, rising from 519,197 in 2008 to 554,590 in 2018. In Wealden District the population has grown from 146,539 to 160,175 in the same period.

#### Population change (all ages) between 2001 and 2018

Year	Population 2008	Population 2018	Change	% change
East Sussex	519,197	554,590	+35,393	6.8%
Wealden District	146,539	160,175	+13,636	9.3%

Source: ONS Mid-year estimates 2018, East Sussex in Figures (ESiF)

By 2032 the population in East Sussex is projected to increase by 10% and by 18.6% in Wealden District.

#### Population projections (all ages) from 2017 to 2032

Year	Population 2017	Population 2032	Change 2018-2032	% change 2018-2032
East Sussex	552,259	607,473	+55,214	10.0%
Wealden District	158,941	188,473	+29,532	18.6%

Source: Population projections (dwelling led) 2017-2032 – districts, April 2019, ESiF

The picture for East Sussex as a whole is of an ageing county. The proportion of the population aged 65 and over is forecast to rise from 25.4% in 2017 to 32.1% in 2032. At the same time the proportion of 0-10 year olds in the county is projected to fall from 11.7% in 2017 to 10.4% in 2032. In Wealden District the proportion of 0-10 year olds is projected to fall from 11.5% in 2017 to 10.8% in 2032.

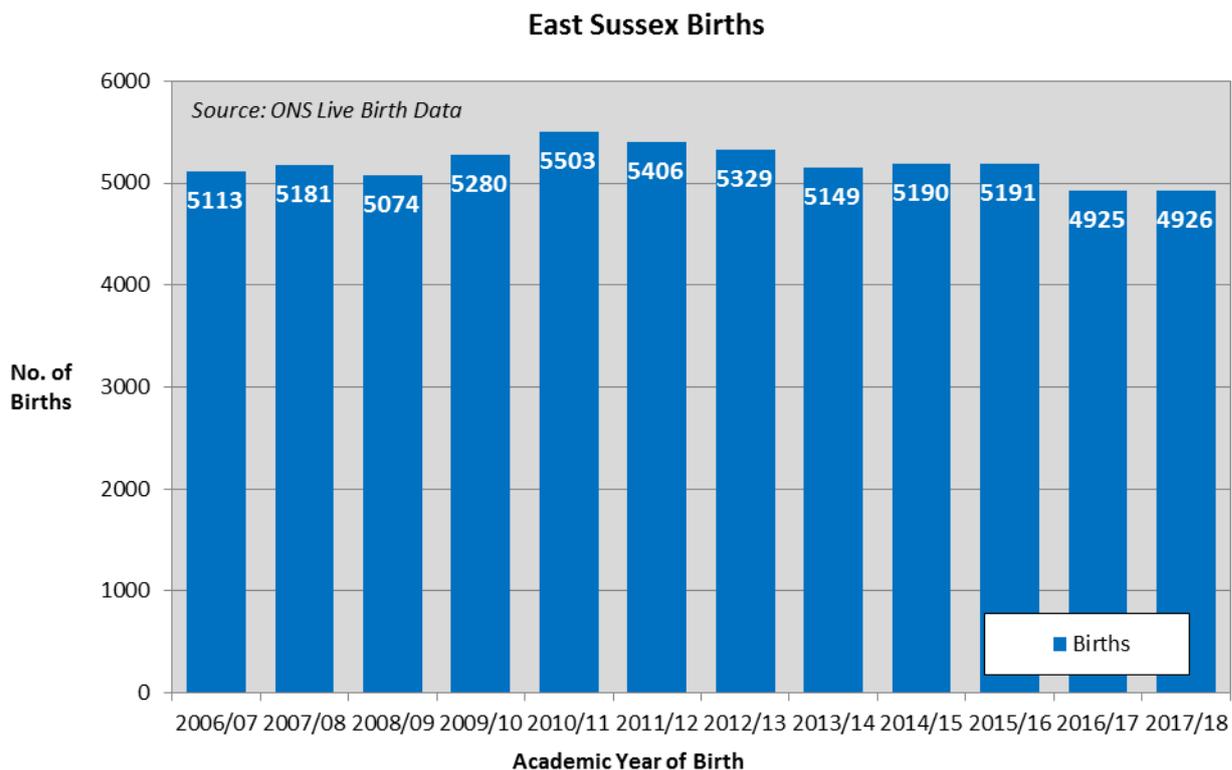
#### Population projections by age group 2017-2032

Age group	East Sussex				Wealden District			
	2017	Proportion	2032	Proportion	2017	Proportion	2032	Proportion
0-10	64,695	11.7%	63,302	10.4%	18,271	11.5%	20,418	10.8%
11-17	41,350	7.5%	45,243	7.5%	12,437	7.8%	14,166	7.5%
18-64	305,744	55.4%	303,659	50%	87,229	54.9%	93,418	49.6%
65+	140,470	25.4%	195,269	32.1%	41,004	25.8%	60,471	32.1%
Totals	552,259	100%	607,473	100%	158,941	100%	188,473	100%

Source: Population projections (dwelling led) 2017-2032 – districts, April 2019, ESiF

This reflects that the birth rate in East Sussex, in line with national trends, has fallen since 2010/11 as illustrated in the chart below.

## East Sussex births

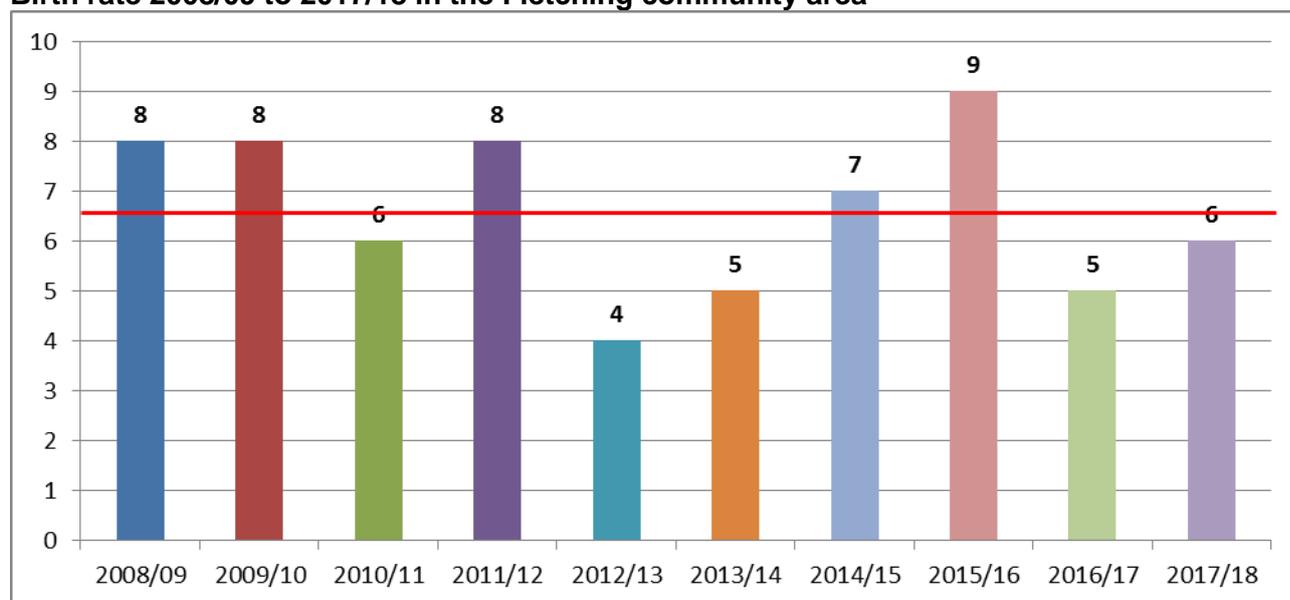


At the May 2019 school census 38,637 pupils were educated in 151 state-funded primary schools (including all-through schools) in East Sussex. In Wealden District 10,600 pupils attended 54 state-funded primary schools.

### b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

Over the last 10 years births in the Fletching community area have averaged less than seven a year, with a high of nine and a low of four, as illustrated below.

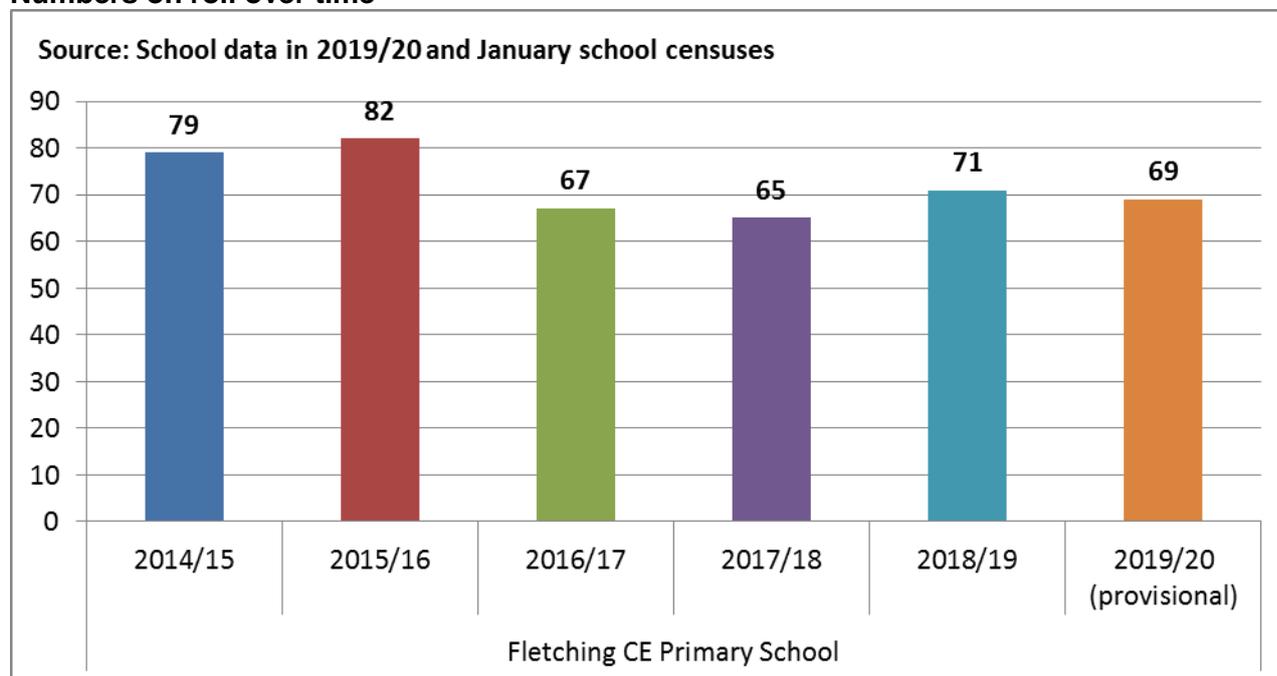
#### Birth rate 2008/09 to 2017/18 in the Fletching community area



In May 2019 there were 40 children living in the Fletching community area attending state funded schools in East Sussex. Of these, 26 (65%) attended Fletching.

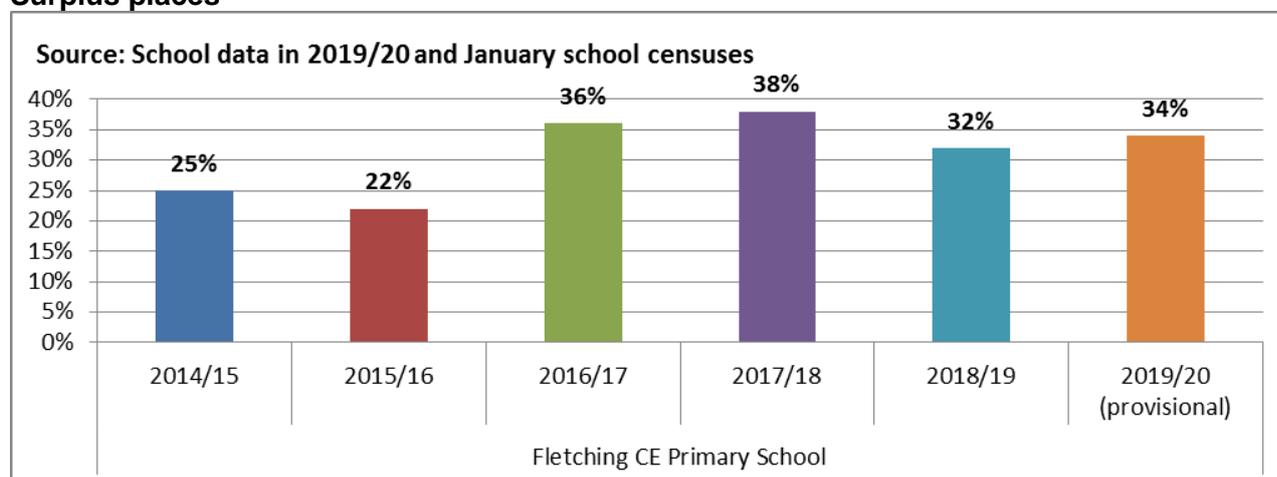
Pupil numbers at the school have been significantly below capacity for a number of years (records going back to 2008/09 show the school has not been at capacity in that time). From the school's pupil number return in November 2019 there are 69 pupils currently on roll against its capacity of 105.

### Numbers on roll over time



Falling pupil numbers lead to increasing surplus places; the current surplus at the school is 34% (36 places).

### Surplus places



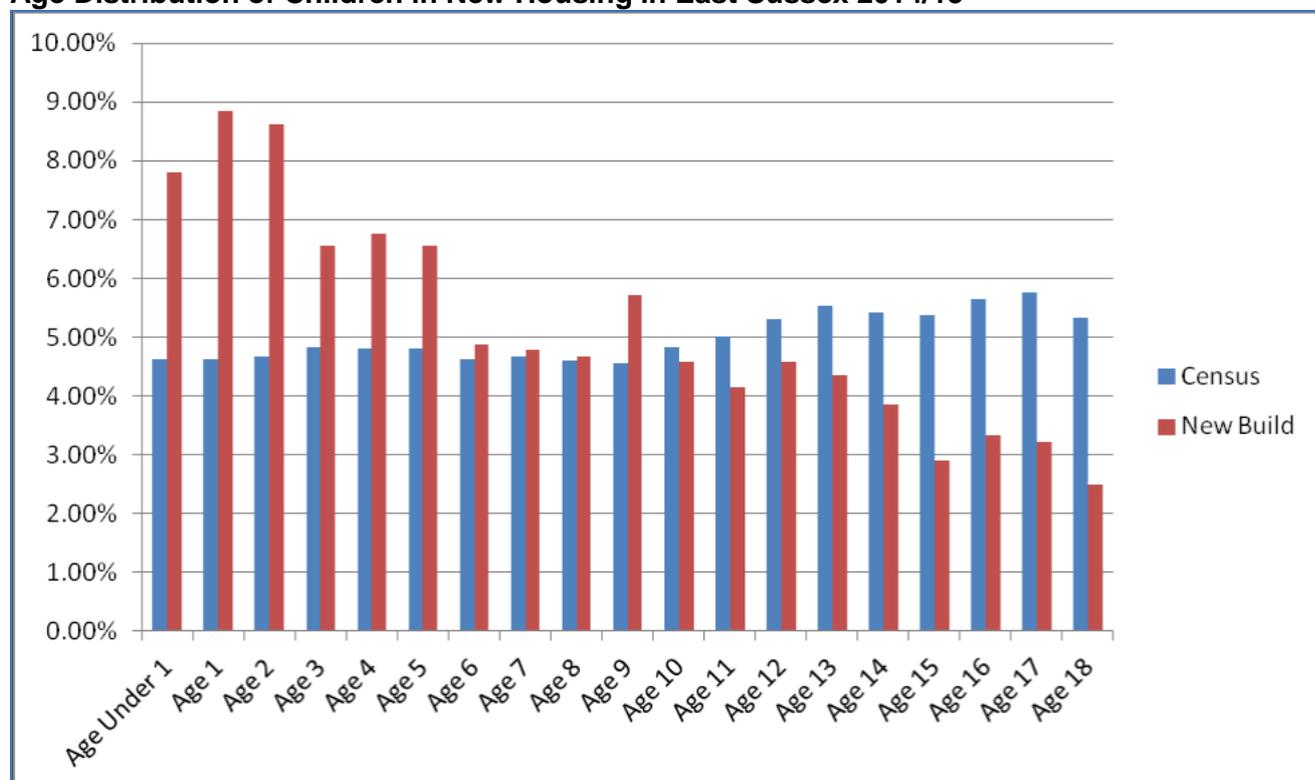
Respondents also referenced housing developments in Scaynes Hill (55 homes) and Newick (68 homes) in addition to the significant development in Uckfield which could put pressure on places in the area. Taking information from the School Organisation Plan 2019-2023 about the predicted number of spare places in Uckfield and using the local authority's published pupil yields from new homes, respondents have concluded that a total of at least 263 new primary school pupils will be living in the area immediately surrounding Fletching with insufficient capacity to accommodate everyone by 2022/23.

The local authority's published yields from new housing for primary schools are as follows.

- Houses = 0.25 pupils per dwelling
- Flats of 2 bedrooms or more = 0.0375 pupils per dwelling
- 1 bed houses/flats = 0 pupils per dwelling

Housing trajectory data from Wealden District Council suggests that development in Uckfield will take another eight years to build out. Even if all the dwellings built were houses and there were 263 additional children generated from new homes in the area it will be some years before all of the children materialise. This is evidenced in the chart below which shows the results of a recent countywide survey of children in new housing development. Households surveyed had been resident in new housing development for up to six years. When this is taken into account it is clear that many of the children living in new housing developments are born after households move in. This indicates that there is a time lag between new homes being occupied, children being born and the subsequent demand for primary school places. Many of the children arising from new housing built in the wider area from 2019/20 to 2022/23 are unlikely to actually impact on primary school pupil numbers until at least the middle of the next decade.

### Age Distribution of Children in New Housing in East Sussex 2014/15



Source: Cognisant Pupil Yield Survey for East Sussex County Council 2014/15; ONS, Age by Single Year, Census 2011

Very few of the children arising from new housing in the area are expected to be in homes built in Fletching Parish. The housing will be in school admissions areas served by other schools. The majority of the housing planned will be in Uckfield.

As can be seen from the 2019/20 pupil number analysis in the Lead Member report, there are 249 surplus places across 15 schools in the wider area. From 2019/20 to 2022/23, with increases in PANs at Buxted CE Primary School and Danehill CE Primary School and incoming Reception cohorts being lower than the Year 6 cohorts they are replacing, the local authority is forecasting that, even after allowing for those additional pupils from new housing in the area who will more immediately require a primary school place, there will be sufficient places to meet demand.

Should primary school places be required to accommodate children arising from new housing in the wider area over the longer term of the Wealden and Lewes District Local Plan periods, it is appropriate to provide those places closer to where the new housing is being built. The local authority has an option agreement on land for a new school within the Ridgewood Farm development site in the South West of Uckfield (1,000 homes) and will bring forward proposals to create provision to serve the development at the appropriate time.

For clarification, new housing in Newick was included in the North Chailey area review but excluded from the consultation as it is served by Newick CE Primary School rather than Fletching. New housing in Scaynes Hill was not included in the area review and is not considered a material factor in the Fletching closure proposal as it is out of county and the responsibility for school places in that area lies with West Sussex County Council (WSSCC). Data tells us that there are fewer than five children attending Fletching who live in Scaynes Hill. WSSCC has not raised Scaynes Hill as an area of concern for them through the regular place planning meetings the local authority has with its neighbouring authorities.

381 (69.4%) of the 549 respondents to the consultation chose to answer the question 'How old are you?' 32.6% preferred not to say or did not answer the question. The breakdown of ages was as follows:

Age group	Total
0-10	4.2%
11-17	2.0%
18-64	53.6%
65+	9.7%

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

Pupils currently in Reception to Year 5 at Fletching, and their families, would be most affected by the proposal as they would have to access alternative primary schools in the surrounding area in the event that Fletching closed.

**d) What is the proposal, project or service's impact on different ages/age groups?**

The proposal would impact on the 55 pupils currently on roll in Reception to Year 5. The Year 6 cohort will move on to secondary education at the end of the current academic year and so will not be affected by the closure, in terms of their school place.

**e) What actions are to/or will be taken to avoid any negative impact or to better advance equality?**

All local authorities have a statutory duty to ensure there are sufficient school places to meet demand. In line with this duty every pupil at Fletching would be offered a place at an alternative school, many of which are likely to be closer to their home address. Therefore no pupils would be disadvantaged in their education because of their age.

**f) Provide details of the mitigation.**

The local authority would take all practicable steps to ease the transition for all pupils, most especially for vulnerable groups such as those with an Education, Health and Care Plan (EHCP) or those identified as needing SEN support. The local authority would work with receiving schools to arrange transition days for pupils to familiarise themselves with their new environments.

In addition to the mitigations outlined above, the receiving schools would be asked to identify buddies for the incoming pupils to help further ease transition by ensuring there is a familiar face and an introduction to new friendship groups.

The majority of pupils currently attending Fletching are from out of the area, while a number of children living in the village travel to other schools. The majority of pupils therefore already face journeys to and from school each day. Latest analysis shows that of the 55 Reception to Year 5 pupils likely to be affected by the proposal, approximately 68% live nearer to an alternative school, with approximately 32% living further away. Should the school close the likely impact on traffic and the environment might potentially be reduced if displaced pupils attend schools nearer to their home address. The local authority acknowledges that some pupils living in Fletching and attending the school might face longer journeys to and from an alternative school each day and that this might increase car usage for these families. For families that live outside of the Fletching community area it is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers. It is hoped that for these families car usage might reduce. The local authority currently estimates that five pupils might be eligible for free transport to their nearest alternative school, although it is recognised that this figure might change if pupils are unable to access a place at their nearest alternative school.

**g) How will any mitigation measures be monitored?**

The local authority regularly reviews its pupil forecasts to ensure there are sufficient school places to meet demand and if necessary takes action to address any shortfalls in places in line with its statutory responsibilities.

## 4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

### a) How is this protected characteristic reflected in the County /District/ Borough?

Disability projections published on East Sussex in Figures (ESiF) in May 2019 put the total number of people with a disability in East Sussex at 101,101 and in the Wealden District at 26,112.

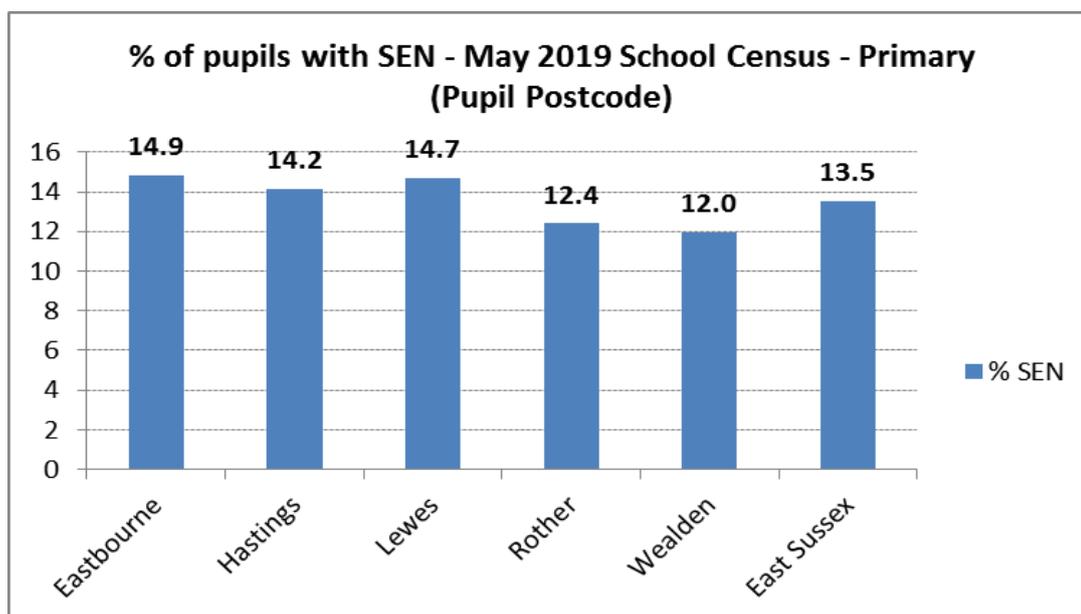
Dataset: Disability projections (dwelling-led), 2017-2032 - districts

ESCC Projections May 2019

Geography: Mixed Year Age group: All ages Category: Overall disability Measure: Number of people with disability

Year	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
East Sussex	98,608	99,800	101,101	102,766	104,874	107,010	109,158	111,194	113,369	115,459	117,684	120,015	122,422	124,788	127,219	130,210
Eastbourne	19,414	19,588	19,802	20,053	20,388	20,708	21,058	21,370	21,683	22,001	22,352	22,711	23,104	23,485	23,892	24,396
Hastings	17,419	17,601	17,800	18,030	18,310	18,580	18,878	19,136	19,403	19,665	19,957	20,256	20,582	20,911	21,224	21,594
Lewes	17,578	17,852	18,090	18,402	18,770	19,158	19,559	19,923	20,285	20,596	20,932	21,312	21,683	22,050	22,454	22,968
Rother	18,904	19,083	19,297	19,595	20,006	20,372	20,690	21,024	21,453	21,886	22,318	22,815	23,260	23,687	24,140	24,721
Wealden	25,293	26,676	26,112	26,686	27,400	28,193	28,973	29,741	30,546	31,311	32,124	32,920	33,793	34,654	35,508	36,531

At the May 2019 school census there were 9,116 pupils (13.5%) recorded as having Special Educational Needs (SEN) being educated in state funded schools in East Sussex (of which 155 reside outside of East Sussex). The number in the Wealden District was 2,145, or 12% of the school age population.



### b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

SEN data for Fletching from the last academic year showed that the percentage of SEN pupils at the school was 27.8% (20 out of 72). Unless a child has an EHCP, the determination of whether a child has SEN is down to individual schools in consultation with parents and the threshold varies between establishments. However, the percentage at Fletching is significantly higher than for East Sussex as a whole and for other Wealden schools.

Source May 2019 school census

Fewer than five children on roll at Fletching have an EHCP.

5.5% of respondents to the consultation said 'Yes' to the question 'Do you consider yourself to be disabled as set out in the Equality Act 2010?'. 81.6% said 'No' while 12.9% preferred not to say or did not answer the question.

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

The impact on pupils, particularly those with special educational needs (SEN), is a concern for a significant number of respondents. They question the ability of other schools to provide for pupils with additional needs, referencing what they perceive to be the ability of Fletching to understand and accommodate all pupils' needs. There is anxiety amongst parents that other schools would not be able to replicate the SEN offer at Fletching and that some of the pupils now at Fletching have been at other schools in the area where they were not successful.

Chapter 6 of the SEND Code of Practice explains the action that mainstream schools should take to meet their duties in relation to identifying and supporting all pupils with SEN whether or not they have an Education, Health and Care (EHC) plan. Chapters 6.36 to 6.39 of the code state:

*'Teachers are responsible and accountable for the progress and development of the pupils in their class, including where pupils access support from teaching assistants or specialist staff.*

*High quality teaching, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Additional intervention and support cannot compensate for a lack of good quality teaching. Schools should regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.*

*In deciding whether to make special educational provision, the teacher and SENCO should consider all of the information gathered from within the school about the pupil's progress, alongside national data and expectations of progress. This should include high quality and accurate formative assessment, using effective tools and early assessment materials. For higher levels of need, schools should have arrangements in place to draw on more specialised assessments from external agencies and professionals.*

*This information gathering should include an early discussion with the pupil and their parents. These early discussions with parents should be structured in such a way that they develop a good understanding of the pupil's areas of strength and difficulty, the parents' concerns, the agreed outcomes sought for the child and the next steps'.*

The determination of whether a child has SEN is down to individual schools in consultation with parents and the threshold varies between establishments. All schools have the same duties under the Equalities Act 2010 and the Children and Families Act 2014 to identify and provide for children with SEN and, unless there are specific provisions named in a statutory plan which would make admission incompatible with the requirement for reasonable adjustments, it is a legal requirement for all schools to comply. As barriers to learning, that a pupil with SEN might experience, change over time, the local authority would expect provision to adapt and change accordingly and, therefore, the requirements of an individual at any given time are not reflective of those in the future. In some cases, children may cease to be identified as having SEN if appropriate adjustments are put in place to enable them to overcome barriers and to make progress in line with their peers.

Attainment for SEN pupils is difficult to compare across schools due to the very small cohorts. As would be expected for this cohort, at Fletching and all the alternative schools, some SEN pupils attain at the expected standard and some do not.

Many respondents have also referred to the impact of the school closure on the mental health and wellbeing of pupils, parents and carers, staff and the wider local community. Local authority support is available to schools, children and families for mental health and emotional wellbeing as set out in Appendix 4 of the Lead Member report.

**d) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

If Fletching were to close, the local authority is confident that teaching staff at other schools would manage the transition of any pupils to their new school by working with parent/carers and staff at Fletching to identify the strengths and interests of the pupils. This information would then be used to inform curriculum planning and create a sense of belonging through displays in the environment, ensuring that the pupils build relationships with staff and pupils in the new school as quickly as possible. Staff in the new school would also talk to parent and carers and staff at Fletching to ensure they were aware of any additional needs or anxieties the pupil may have, so these could be well supported. This could be through an additional 'taster' visit to the new classroom, allocating a peer as a 'buddy', allocating a named adult that would greet the pupil every morning and check in on them during the day or creating a photobook of the classroom and key staff for the pupil to keep at home. These circumstances are not unusual in that schools regularly manage in-year admissions, though it is recognised that there will be a significant number of pupils making the transition at any one time, including a number of pupils with SEN. Therefore additional support will be in put in place for the transition arrangements.

The local authority would take all practicable steps to ease the transition for pupils, most especially for vulnerable learners and those with SEN including working with Fletching to identify any pupils who may require additional support from ISEND specialist practitioners prior to and following the change. For example, the Communication Learning Autism Support Service (CLASS) would provide individual or small group sessions to reduce anxiety for any pupils with Autism who require it and the Education Support Behaviour and Attendance Service (ESBAS) would provide individual or small group sessions on managing strong feelings and/or building new friendships for pupils with mental health or wellbeing needs who are identified as needing that additional support. This package of support around individual pupils would be provided free of charge to Fletching and the next school. The majority of pupils, including those with SEND, will be able to manage the change successfully without additional support from ISEND services, through well-planned preparation and transition activities involving staff at Fletching and the pupil's next school.

**e) Provide details of any mitigation.**

Fletching is a mainstream school. All mainstream schools are required to meet the individual needs of all their pupils including those with SEN and disability, as set out in the SEND Code of Practice and the East Sussex Quality Mark for Inclusion (ESQMI). All schools in the area want all children to thrive and have access to a range of support to help with their needs. This would be the case for children moving from Fletching and all schools would be expected to provide the same level of care as that provided at Fletching.

The local authority would work with pupils, their parents and the relevant schools to make appropriate transition arrangements for pupils. Relevant families would be consulted about any specific potential impacts on individuals; for instance, because of loss of support networks or the need to replicate reasonable adjustments made to accommodate children with a disability, and the local authority would ensure that appropriate individual arrangements are made where this is necessary to avoid potential adverse impacts. Transfer to a larger school could potentially provide more flexibility of resource to support pupil's special educational needs.

**f) How will any mitigation measures be monitored?**

The local authority would closely monitor the transition of the pupils to their new schools through regular monitoring arrangements already in place. All schools have to report on the outcomes of

all pupils, including those with SEN. The local authority would continue to monitor regularly the outcomes at all schools for these pupils.

### **4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact.**

#### **a) How is this protected characteristic reflected in the County / District/ Borough?**

##### Ethnicity

85.2% of pupils in East Sussex (84.9% in primary schools), according to the January 2019 school census, are of White British Heritage (WBRI). 13.5% of pupils in East Sussex are Black and Minority Ethnic (BME) (14.2% in primary schools).

In Wealden district 90.2% of pupils are WBRI (90.4% in primary schools); 8.8% are BME (9.2% in primary schools).

##### English as an Additional Language (EAL)

The proportion of pupils with EAL in East Sussex, according to the May 2019 school census is 5.9% (6.8% in primary). In Wealden District the figure is 2.5% (2.7% in primary schools).

#### **b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

##### Ethnicity

90.1% of pupils who attend Fletching according to the January 2019 school census, are WBRI, 8.5% are BME.

82.2% of respondents to the consultation who chose to answer the question 'To which of these ethnic groups do you feel you belong?' identified themselves as WBRI with 5.1% as BME. 12.8% preferred not to say or did not answer the question.

##### EAL

No pupils currently on roll at Fletching have EAL.

#### **c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

Pupils currently in Reception to Year 5 at Fletching, and their families, would be affected by the proposal regardless of ethnicity as all would have to access alternative primary schools in the local area.

#### **d) What is the proposal, project or service's impact on those who are from different ethnic backgrounds?**

N/A

#### **e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

#### **f) Provide details of any mitigation.**

N/A

#### **g) How will any mitigation measures be monitored?**

N/A

#### **4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact**

##### **a) How is this protected characteristic target group reflected in the County/District/Borough?**

According to the May 2019 school census, 51.5% of pupils in East Sussex (51% in primary schools) are male and 48.5% (49% in primary schools) are female.

51.5% of pupils in Wealden District (51.4% in primary schools) are male and 48.5% (48.6% in primary schools) are female.

##### **b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

According to the May 2019 School Census, the percentage of pupils attending Fletching who are male is 38.9% and female 61.1%.

24% of the respondents to the consultation who chose to answer the question 'Are you ...?' identified as male with 67% identifying as female. 8.9% preferred not to say or did not answer the question.

No respondents identified as a transgender or a trans person.

##### **c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

Although there are proportionally a larger number of females in the school population, all pupils currently in Reception to Year 5 at Fletching, and their families, would be affected by the proposal regardless of gender as all would have to access alternative primary schools in the local area.

##### **d) What is the proposal, project or service's impact on different genders?**

N/A

##### **e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

##### **f) Provide details of any mitigation.**

N/A

##### **g) How will any mitigation measures be monitored?**

N/A

**4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.**

The local authority does not consider marital status/civil partnership characteristics to be relevant to the proposal.

**a) How is this protected characteristic target group reflected in the County/District/Borough?**

N/A

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

**d) What is the proposal, project or service's impact on people who are married or same sex couples who have celebrated a civil partnership?**

N/A

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

**f) Provide details of any mitigation.**

N/A

**g) How will any mitigation measures be monitored?**

N/A

**4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.**

The local authority does not consider pregnancy and maternity characteristics to be relevant to the proposal.

**a) How is this protected characteristic target group reflected in the County/District/Borough?**

N/A

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

**d) What is the proposal, project or service's impact on pregnant women and women within the first 26 weeks of maternity leave?**

N/A

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

**f) Provide details of the mitigation**

N/A

**g) How will any mitigation measures be monitored?**

N/A

#### **4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.**

##### **a) How is this protected characteristic reflected in the County/District/Borough?**

In the 2011 Census, 59.9% of the population of East Sussex identified as Christian. 29.6% stated they had no religion. 0.8% identified as Muslim, 0.4% as Buddhist, 0.3% as Hindu, 0.2% as Jewish and 0% as Sikh.

##### **b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

In the 2011 Census, 64% of the population of Wealden identified as Christian. 26.3% stated they had no religion. 0.4% identified as Muslim, 0.3% as Buddhist, 0.1% as Hindu, 0.2% as Jewish and 0% as Sikh.

50.6% of respondents to the consultation who chose to answer the question 'Do you regard yourself as belonging to any particular religion or belief?' regarded themselves as belonging to a particular religion or belief. 31.3% stated they had no religion. 18% preferred not to say or did not answer the question.

51.5% of respondents identified as Christian, less than 1% as Buddhist, less than 1% as Sikh and 1.1% as other.

##### **c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

Currently 64% of school places in North Chailey and the surrounding area including Uckfield are faith based and 36% are non-denominational. If Fletching closes this would change to 62.5% faith based and 37.5% non-denominational. All non-denominational state funded schools in England have to provide a collective worship of '*a broadly Christian character*'.

##### **d) What is the proposal, project or service's impact on the people with different religions and beliefs?**

N/A

##### **e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

##### **f) Provide details of any mitigation.**

N/A

##### **g) How will any mitigation measures be monitored?**

N/A

**4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.**

The local authority does not consider sexual orientation to be relevant to the proposal.

**a) How is this protected characteristic reflected in the County/District/Borough?**

N/A

**b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?**

N/A

**c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

N/A

**d) What is the proposal, project or service's impact on people with differing sexual orientation?**

N/A

**e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

N/A

**f) Provide details of the mitigation**

N/A

**g) How will any mitigation measures be monitored?**

N/A

#### **4.9 Other: Deprivation**

##### **a) How are these groups/factors reflected in the County/District/ Borough?**

Reflecting that Wealden is one of the 20% least deprived districts in England, 9.7% of children in the District are living in poverty. This is significantly lower than the proportion for East Sussex as a whole, 16.1% (source: 2019 Indices of Deprivation).

Pupil Premium funding is given to schools to address any inequalities and target effective in-school support. Pupil Premium funding is given based upon the number of pupils from low-income families who are currently known to be eligible for free school meals or have been eligible over the last six years (Ever6FSM). Also pupils who are/have been looked after by the local authority.

According to the January 2019 school census, 23.1% of pupils in East Sussex (21.5% in primary schools) are Ever6FSM. 14.9% of pupils in Wealden District (13.4% in primary schools) are Ever6FSM.

##### **b) How is this group/factor reflected in the population of those impacted by the proposal, project or service?**

8.5% of pupils attending Fletching are Ever6FSM which is significantly lower than the East Sussex and Wealden averages.

##### **c) Will people within these groups or affected by these factors be more affected by the proposal, project or service than those in the general population who are not in those groups or affected by these factors?**

Pupil Premium funding is attached to the pupil and so the additional funding would be available to any new school that the pupil attends. Therefore, it is not considered that a change of school would have a disproportionate impact on these pupils

Attainment for FSM pupils is difficult to compare across schools due to the very small cohorts. As would be expected for this cohort, at Fletching and all the alternative schools, some FSM pupils attain at the expected standard and some do not.

##### **d) What is the proposal, project or service's impact on the factor or identified group?**

Families of pupils eligible for pupil premium may be disproportionately affected by additional costs for travel or a new uniform.

##### **e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

Free transport would be provided to eligible pupils.

There is no uniform grant from the local authority, however, many schools make special arrangements for pupils entitled to Free School Meals and many schools sell second hand uniforms at low prices.

##### **f) Provide details of the mitigation.**

The local authority and affected schools have a duty to support appropriate transition arrangements and the local authority would take all practicable steps to ease the transition for pupils, most especially for vulnerable learners, including those who are Ever6FSM. Should Fletching close the local authority is confident that teaching staff at other schools would manage

the transition of any pupils to their new school. These circumstances are not unusual in that schools regularly manage in-year admissions, though it is recognised that there will be a significant number of pupils making the transition at any one time, including a number of pupils from the Ever6FSM cohort. Therefore additional support would be in place for the transition arrangements as detailed below.

Should the proposal be implemented the local authority would work with pupils, their parents and the relevant schools to make appropriate transition arrangements for pupils. Relevant families would be consulted about any specific potential impacts on individuals; for instance, because of a loss of support networks and the local authority would ensure that appropriate individual arrangements are made where this is necessary to avoid potential adverse impacts.

All schools have a duty to ensure appropriate provision for pupils who are Ever6FSM and schools receive specific funding (the pupil premium) to support these pupils. Transfer to a larger school could potentially provide more flexibility of resource to support pupil's needs.

**g) How will any mitigation measures be monitored?**

The local authority would closely monitor the transition of pupils to their new schools through regular monitoring arrangements already in place.

All schools have to report on the outcomes of all pupils, including those who are Ever6FSM. The local authority would continue to monitor the outcomes at all schools for these pupils.

#### 4.10 Other: Community Impact

See separate document for the Community Impact Assessment.

**4.11 Human rights** - Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. **Please look at the table below to consider if your proposal, project or service may potentially interfere with a human right.**

The local authority considers the proposal to be a proportionate and positive response to the issues that have arisen regarding Fletching. It considers that all pupils impacted by the proposal, should it proceed, would be enabled to receive a good quality of education. The local authority does not consider that the proposal potentially interferes with a human right.

<b>Articles</b>	
<b>A2</b>	<b>Right to life (e.g. pain relief, suicide prevention)</b>
<b>A3</b>	<b>Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)</b>
<b>A4</b>	<b>Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)</b>
<b>A5</b>	<b>Right to liberty and security (financial abuse)</b>
<b>A6 &amp;7</b>	<b>Rights to a fair trial; and no punishment without law (e.g. staff tribunals)</b>
<b>A8</b>	<b>Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)</b>
<b>A9</b>	<b>Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)</b>
<b>A10</b>	<b>Freedom of expression (whistle-blowing policies)</b>
<b>A11</b>	<b>Freedom of assembly and association (e.g. recognition of trade unions)</b>
<b>A12</b>	<b>Right to marry and found a family (e.g. fertility, pregnancy)</b>
<b>Protocols</b>	
<b>P1.A1</b>	<b>Protection of property (service users property/belongings)</b>
<b>P1.A2</b>	<b>Right to education (e.g. access to learning, accessible information)</b>
<b>P1.A3</b>	<b>Right to free elections (Elected Members)</b>

## Part 5 – Conclusions and recommendations for decision makers

### 5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

### 5.2 Impact assessment outcome Based on the analysis of the impact in part four mark below ('X') with a summary of your recommendation.

X	Outcome of impact assessment	Please explain your answer fully.
X	<b>A No major change</b> – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.	<p>The consultation responses overwhelmingly object to the proposed closure; there is a clear strength of feeling that the impact on current pupils and the local community would be significant. Substantial fundraising has been undertaken by the community which largely addresses the school's predicated budget deficit in 2019/20 and 2020/21. Pupil numbers at the school have largely been maintained despite the consultation, governors believe that pupil numbers will begin to increase in the coming years as a result of house building in the area, notably in Uckfield.</p> <p>Nonetheless, the local authority remains of the view that the school continues to be vulnerable, its budget deficit has only been addressed on a short-term basis through one-off funding and concern remains about the lack of any ongoing committed funding to support the school beyond next financial year. Current forecasts for the school do not suggest it will attract many more pupils from out of area than it has in the past. In-area demand for places remains low.</p> <p>Despite this unpromising outlook and taking account of the improved short term budget position, the fact that pupil numbers at the school have largely been maintained and the Diocese of Chichester's position, the local authority recommends that the consultation on closure is halted and the school remains open.</p>
	<b>B Adjust the policy/strategy</b> – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	
	<b>C Continue the policy/strategy</b> - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate	
	<b>D Stop and remove the policy/strategy</b> – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed.	

**5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, project or service?**

The local authority has a clear schedule for regular monitoring of schools and the outcomes achieved by all pupils, including outcomes for those with SEN and Ever6FSM and boys/girls.

**5.6 When will the amended proposal, proposal, project or service be reviewed?**

This would be subject to the decision at the Lead Member meeting on 23 December 2019.

<b>Date completed:</b>	<b>November 2019</b>	<b>Signed by (person completing)</b>	<b>Gary Langford</b>
		<b>Role of person completing</b>	<b>Place Planning Manager</b>
<b>Date:</b>	<b>November 2019</b>	<b>Signed by (Manager)</b>	<b>Fiona Wright, Assistant Director Education and Inclusion, Special Educational Needs and Disability</b>

**Part 6 – Equality impact assessment action plan**

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.

The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. **If no actions fill in separate summary sheet.**

**Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:**

Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT)

### 6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

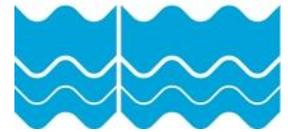
Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)

## Support available to schools, children and families for Mental Health & Emotional Wellbeing from East Sussex County Council

*Some of the above provision is part of Services' core offer, whilst other aspects are traded*

Type of support	Details
Whole school staff support and training	<p><b>Educational Psychology Service</b>            Support and Consultation Meetings            Emotional Literacy Support Assistant training to build the capacity of schools to respond effectively to the emotional needs of pupils as they arise            Staffing issues (e.g. training needs, wellbeing, supervision needs)            Whole school mental health and wellbeing: audits of effective practice            Training on:</p> <ul style="list-style-type: none"> <li>• Managing Anxiety, Anger or Challenging Behaviour</li> <li>• Mental Health; Self-Harm; Attachment and Resilience; Effects of Trauma and Neglect on Brain Development</li> <li>• Loss and Bereavement</li> <li>• Mindfulness; Cognitive Behavioural Approaches</li> <li>• Understanding Autism; ADHD and Self-Regulation</li> </ul>
	<p><b>Education Support, Behaviour and Attendance Service</b>            Whole school behaviour management training, plus:</p> <ul style="list-style-type: none"> <li>• Behaviour training for Teaching Assistants and Individual Needs Assistants</li> <li>• Specific teacher support packages including NQTs and Recently Qualified Teachers</li> <li>• Tackling low-level disruption</li> <li>• De-escalation</li> <li>• SENCO support and consultation</li> <li>• Nurture advice on practical strategies to enhance whole school MHEW</li> </ul>
	<p><b>Teaching and Learning Provision</b>            Support to complete Additional Needs Plans for children with medical and mental health needs            Support for a graduated response for children and young people with mental health needs – generalised or for an identified need</p>
	<p><b>Standards and Learning Effectiveness Service</b>            Safeguarding training for Designated Safeguarding Leads including on mental health and wellbeing concerns</p>
	<p><b>Communication Learning and Autism Support Service</b>            Whole school development needs around identifying and meeting the needs of pupils with Speech, Language &amp; Communication Needs, including Autism and Specific Learning Difficulties (such as Dyslexia)</p>
	<p><b>Mental Health Education Welfare (MHEW) Adviser</b>            Whole school training on whole school approaches to MHEW including audit support and review meetings            Whole staff MHEW training            Themed countywide MHEW training            Support and group supervision for mental health leads</p>

	<p><b>Special Educational Needs Practice and Standards Lead</b> Lead SENCO programme SENCO Hubs</p>
	<p><b>Workforce Development and HR</b> Mental health learning pathway supported and developed by ESCC training team Staff wellbeing programme provided through occupational health for all directly maintained schools, including access to a counselling service and a range of resources and support. Academies and free schools can buy in this service</p>
	<p><b>Public Health</b> Personal Social Health Economic Education Hubs &amp; funded programme of support for new Sex and Religious Education curriculum requirements</p>
<b>Individual/group intervention for children and young people</b>	<p><b>Educational Psychology Service</b> Bespoke programme of work to aid identified needs with individual children and young people or groups, e.g. 'Worrybusters'</p>
	<p><b>Education Support, Behaviour and Attendance Service</b> Boys / Girls Friendship groups</p>
	<p><b>School Health Service</b> Pupil voice sessions in schools supporting development of whole school health improvement plans. All questionnaires which flag an alert are assessed by a school nurse with follow up with the child, young person or parent as appropriate</p>
<b>Targeted support</b>	<p><b>Educational Psychology Service</b> Critical incident support Training on Bereavement and Loss</p>
	<p><b>Communication Autism and Learning Support Service</b> Support for specific children and young people</p>
<b>Family support</b>	<p><b>Single Point of Advice / Child and Adolescent Mental Health Service</b> <i>for children and young people who meet the criteria for level 3 on the continuum of need</i> Early Help Key Worker service supports families with multiple and complex needs CAMHS supports children and young people needing specialist mental health provision</p>
	<p><b>Communication Autism and Learning Support Service</b> Guidance and training that enables families/carers to build their understanding of the strengths and challenges faced by children and young people with Autism and so to develop greater confidence in how to support them</p>
	<p><b>SPECTRUM</b> Commissioned support to young people with autism aged 0 to 19 to join in activities in their community independently. SPECTRUM also signpost young people with autism to other appropriate services.</p>



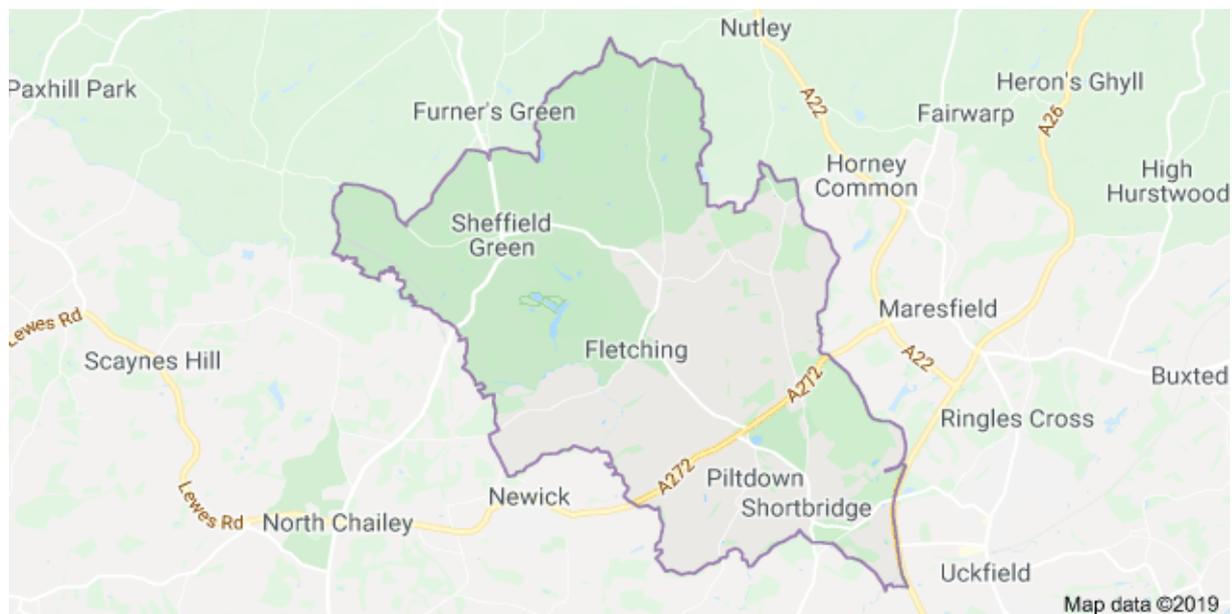
## Proposed closure of Fletching CE Primary School Community Impact Assessment

### Introduction

Fletching Church of England Primary School is located in the village of Fletching, East Sussex.



Fletching is a village and civil parish in the Wealden District of East Sussex, England.



Covering 322 square miles, Wealden is the largest district in East Sussex and is classified as one of the most rural districts in England. Half the population lives in the five main towns of Crowborough, Hailsham, Heathfield, Polegate and Uckfield. The rest live in rural villages and hamlets.

Wealden District Council has designated a large part of Fletching village as a Conservation Area. The north-west half of the parish, including most of Fletching village, is in the High Weald Area of Outstanding Natural Beauty. The entire parish lies within the 7km zone of influence

around the Ashdown Forest Special Protection Area and Special Area of Conservation. This is relevant when considering what development is permissible in the parish.

## Impact on pupils

Should the proposals be implemented and Fletching Church of England Primary School (Fletching) be closed, the pupils in Reception to Year 5 would need to move to alternative primary schools in the area. Year 6 pupils would be leaving primary school to take up places in secondary schools and so would not be affected by the closure, in terms of their school place.

### ***Potential Impact:***

The main changes for pupils in Reception to Year 5 would be:

- A new school
- A new route to school
- A new uniform
- New teachers and support staff
- A new learning environment
- Changed friendship groups

Responses to the consultation indicated that parents were concerned about the impact on the mental health and wellbeing of pupils.

### ***Mitigating Factors:***

Every pupil would be guaranteed the offer of a place at an alternative primary school in their local area. The schools identified as being within a reasonable distance of Fletching are:

Bonnars CE Primary School  
Buxted CE Primary School  
Chailey St Peter's CE Primary School  
Danehill CE Primary School  
Framfield CE Primary School  
Harlands Primary School  
High Hurstwood CE Primary School  
Holy Cross CE Primary School  
Little Horsted CE Primary School  
Manor Primary School  
Newick CE Primary School  
Nutley CE Primary School  
Rocks Park Primary School  
St Philip's Catholic Primary School

The local authority would be responsible for overseeing the process of closing the school and would work closely with the school to implement closure, including supporting pupils during their final months at Fletching and in their transition to a new school. Parents and carers of children at the school would be able to express a preference for a place at an alternative school. Parents and carers would be asked to complete an admissions application form and to name up to three schools they would prefer their child/ren to attend. Parents and carers would be offered a school place either at one of their 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 local authority would try to meet parents and carers preferences wherever possible but cannot guarantee to do so. The allocation of places would 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:

<https://www.eastsussex.gov.uk/educationandlearning/schools/admissions/>

The local authority would take all practicable steps to ease the transition for all pupils, including vulnerable groups. It would work with the receiving schools to arrange transition days for pupils to meet their new teachers and to familiarise themselves with their new environments.

Local authority support is available to schools, children and families for mental health and emotional wellbeing as set out in Appendix 4 of the Lead Member report.

Some of the schools identified mention on their websites that second hand uniforms are available at a very low cost.

***Recommendation:***

That, in addition to the mitigations outlined above, the receiving schools be asked to identify buddies for the incoming pupils to help further ease the transition by ensuring there is a familiar face and an introduction to new friendship groups.

## **Impact on parents and families**

The Fletching PTA organises a number of events for parents and pupils in order to fund raise for the school. These include, but are not limited to:

- Cake sales on the first Friday of each month
- The annual 'Garden Trail' when residents open their gardens to visitors
- Annual disco
- Polo Festival

Fletching runs a breakfast club (Honeybees), Monday to Friday and a number of lunchtime and after school clubs for pupils including an after school forest school club, gymnastics, athletics, mini tennis, kit car building and football.

***Potential Impact:***

If the proposals go ahead, it is likely that these events would cease.

***Mitigating Factors:***

Schools in the surrounding area also provide events, clubs and wrap around care for pupils:

- Bonnors CE Primary School  
The Friends of Bonnors hold regular events including cake sales, film nights, a summer party and a Christmas fayre. The school has breakfast and after school clubs and also runs a number of after school clubs for pupils including chess, drama, sports and musical theatre.
- Buxted CE Primary School  
The school provides wrap around care (breakfast and after school). They run a number of after school clubs for pupils including fitness, tag rugby, craft club, arty time. The PTA run events and fundraisers including Christmas fair, Christmas party, Easter egg hunt, bingo night, quiz night, school disco, scholastic book fair, movie nights.
- Chailey St Peters CE Primary School  
The Friends of Chailey St Peters school hold a number of different events during the year, including film nights, discos, and fairs.
- Danehill CE Primary School  
The school has a breakfast club and an after school club, as well as a number of extra-curricular clubs and activities including netball, dance, football, tennis and Lego / construction.

- Framfield CE Primary School  
The PFTA hold a number of events, including a spring fair, Elvis night, dragon boat racing, a Christmas fair, film nights, discos and ladies netball. The school runs a number of after school clubs for pupils including netball, tennis, homework, newspaper editors, ukulele, guitar, football and table tennis
- Harlands Primary School  
The PTA hold a number of events including discos, summer fairs, Christmas fairs, gardening days, quiz nights, film nights and pancake races.
- High Hurstwood CE Primary School  
The Friends of High Hurstwood School organise a range of events including sponsored walks, bake sales, a Christmas bazaar, wreath making, drinks evenings, discos a summer fete.
- Holy Cross CE Primary School  
The school offers a breakfast club and a number of after school clubs including a gardening club, arts and crafts, football, drama, science, chess and board games.
- Little Horsted CE Primary School  
The PTA holds a number of events and fundraisers including school discos, 49 club (a monthly draw), film nights, and barbecue at the Isfield bonfire night. The school offers a breakfast club and a number of after school clubs that can include, subject to demand, drama, dance, book worms, chess, computers, fun fit, rugby, craft, bike ability cycle training, short tennis, art, football, netball, cricket, rounders, stoolball, yoga and hockey.
- Manor Primary School  
The school offers a breakfast club and a large number of after school clubs including stamps, tennis, karate, football, cooking, netball, gardening, science, rounders, arts, film, maths, running, drama, tag rugby, hockey, table tennis, choir and cricket. The Friends of Manor School organise a number of events such as a Christmas bazaar, family games evenings, quiz nights and school discos.
- Newick CE Primary School  
The school offers a breakfast club and a number of after school clubs including football, young engineers and music lessons. The Friends of Newick School organise a number of events such as bingo.
- Nutley CE Primary School  
The school offers a range of after school clubs including sewing, art, cheerleading and sport.
- Rocks Park Primary School  
The school offers a number of after school clubs including origami, mini tennis, drama, art, Great Out Tours, Tag Rugby, gymnastics and netball. The FSA organise a number of events such as jumble and cake sales, forest trails, quiz nights and a Christmas fayre.
- St Philips Catholic Primary School  
The school offers a breakfast club and a number of after school clubs including netball, drama, ballroom dancing, yoga, karate, football, French and tennis.

***Recommendation:***

That the local authority and/or the receiving schools be asked to let prospective parents know of any arrangements in the area for holiday clubs.

## Impact of proposal on the wider community

Concerns were expressed through the consultation that, should the proposed closure be implemented, the school premises would be lost as a community venue and events such as the annual garden trail would cease.

Concerns were also raised about the impact on the village shop which is about to reopen and might benefit from the passing trade brought by the school.

### **Potential Impact:**

If the school were to close the local community would no longer be able to attend events to raise money for the school such as the garden trail.

Schools act as employers and consumers in the local area. Parents of pupils attending the school may be more likely to spend locally. Sell et al (1996) studied the socio-economic impacts of school closures on North Dakota communities. They found a perceived decline in retail sales and the number of businesses in both communities where schools had closed and communities where schools had gained students due to the consolidation of schools. Those from communities where schools had closed were more likely to think this decline was due to the school closure. However, there was a lack of data to support their belief [1] [2]. A high proportion of pupils at the school do not live in Fletching so the school would have the effect of bringing in potential customers from outside the village.

### **Mitigating Factors:**

If local volunteers wish to organise events for the village, there is at least one alternative venue in the village (Fletching Village Hall). The village hall is approximately 200 metres from the school.

The economic benefits that a school brings to a community must be considered beneficial side effects to the main duty of a school which is to provide a quality education to its pupils. Numbers on roll, budget deficits and academic standards must be the major considerations in any decision on the future of a school and, while a community may be impacted by a decision to close a school; this cannot be an overriding factor. If the school closed the local shop (if it reopens) would be unable to rely on passing trade from the school community. If the school remained open this might still be the case for 13 weeks of the year during school holidays. It would be for the local community to consider how to support local retail facilities.

### **Recommendation:**

None

## Impact on neighbouring schools

If the proposals go ahead every pupil in Reception to Year 5 at Fletching would be offered a place at an alternative school, many of which are likely to be nearer to their home address:

### **Potential Impact:**

Reflecting that Fletching takes pupils from a wider area than just North Chailey (including Uckfield and the surrounding area), an analysis of pupil numbers in the wider area has concluded that there would be sufficient places in the surrounding schools for the pupils of Fletching. This is illustrated in the table below.

## Provisional pupil numbers in North Chailey, Uckfield and the surrounding area

Capacity	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total	Capacity	Surplus	% surplus
		365	365	365	365	365	365	365				
Fletching	15	5	9	10	10	13	8	14	69	105	36	34%
Chailey St Peter's	20	17	15	17	20	22	23	25	139	140	1	1%
Danehill*	15	13	16	11	11	17	10	18	96	105	9	9%
Newick	30	30	27	33	34	32	30	30	216	210	0	0%
Bonnors	15	17	20	19	18	14	13	10	111	105	0	0%
Buxted**	30	30	27	23	26	25	30	24	185	210	25	12%
Framfield	15	15	15	9	14	17	12	13	95	105	10	10%
Harlands	30	28	30	24	30	29	26	28	195	210	15	7%
High Hurstwood	15	16	15	15	15	16	15	13	105	105	0	0%
Holy Cross	30	9	15	11	10	19	9	12	85	210	125	60%
Little Horsted	15	17	14	18	17	13	16	13	108	105	0	0%
Manor	60	60	55	61	60	60	59	60	415	420	5	1%
Nutley	15	16	12	17	12	12	16	14	99	105	6	6%
Rocks Park	30	30	30	30	30	30	30	30	210	210	0	0%
St Philips	30	29	30	15	32	27	30	30	193	210	17	8%
<b>Totals</b>	<b>365</b>	<b>332</b>	<b>330</b>	<b>313</b>	<b>339</b>	<b>346</b>	<b>327</b>	<b>334</b>	<b>2321</b>	<b>2555</b>	<b>249</b>	<b>10%</b>

Data source: Pupil number returns from schools between September and November 2019.

\* Danehill's capacity takes account of the decision to increase its PAN to 15 with effect from 2020/21 and that the school is already organised to its new PAN.

\*\* Buxted's capacity takes account of the decision to increase its PAN to 30 with effect from 2020/21 and that the school is already organised to its new PAN.

The impact on local schools would be positive in terms of increasing their rolls and sustainability.

### **Mitigating Factors:**

N/A

### **Recommendations:**

None

## Impact on pupil travel arrangements

Through the consultation, travel arrangements for pupils were raised as a significant concern.

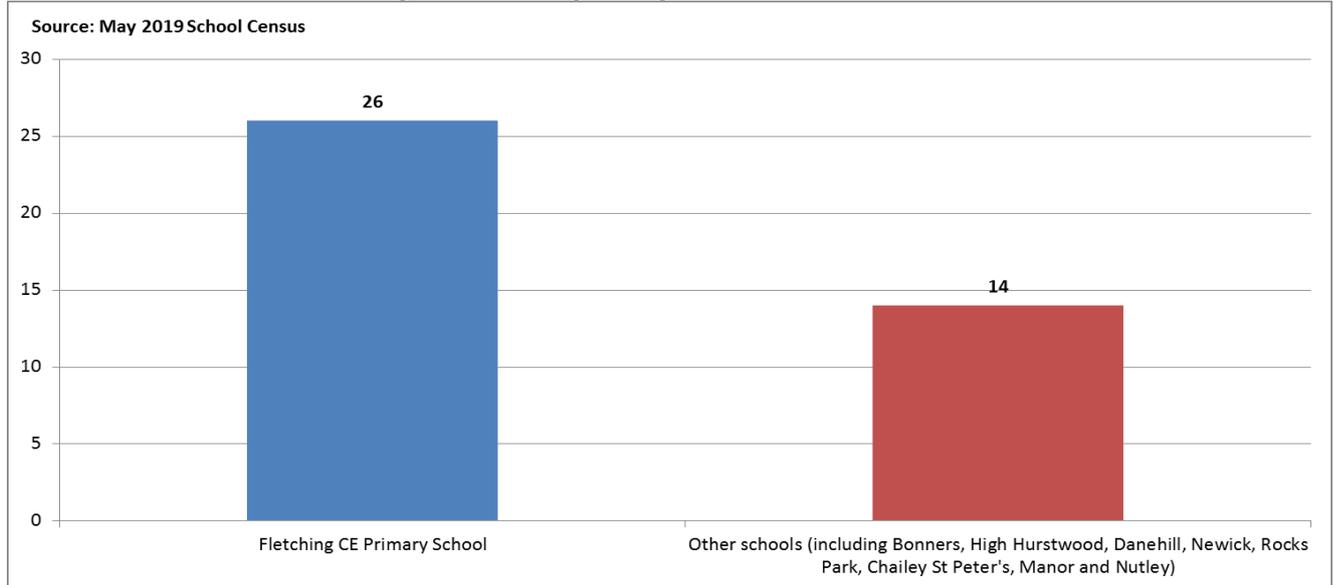
### **Potential Impact:**

Some families may be impacted by additional travel costs and travel time. The closure of the school may impact members of the community who will have to go beyond the local village to engage with teachers and use community facilities. Respondents to the consultation cited the impact on traffic and the environment of children having to travel by car to their nearest alternative school.

### **Mitigating Factors:**

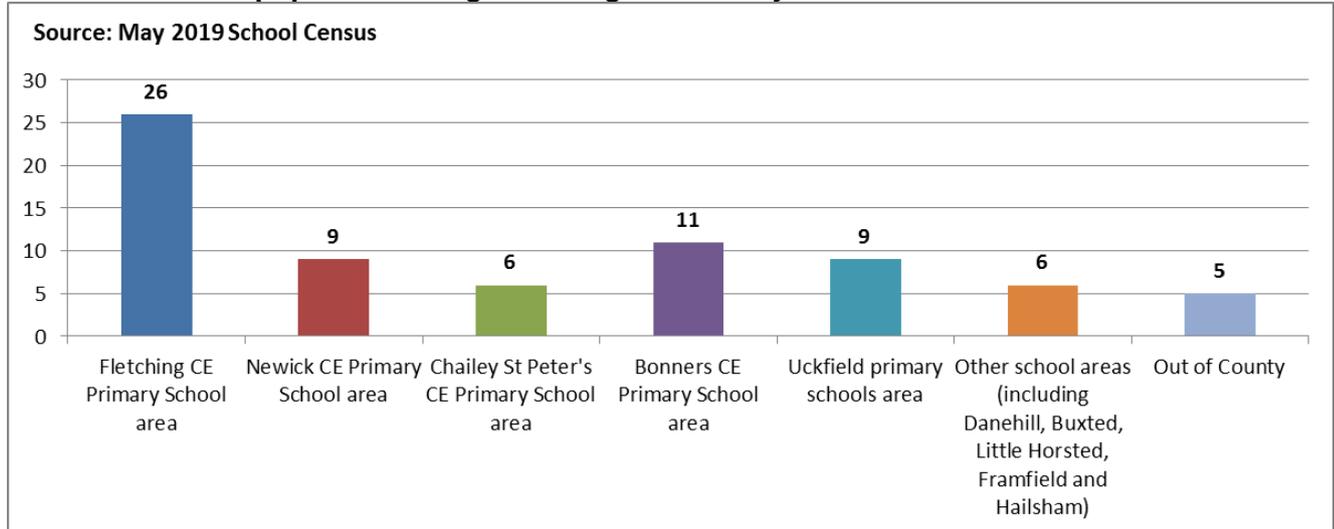
The May 2019 School Census showed 40 children living in the Fletching community area attending state funded schools in East Sussex. Of these, 26 (65%) attended Fletching while 14 (35%) attended other schools in the surrounding area.

## Destination of children living in Fletching Village



The 26 pupils from Fletching who attended the school in May 2019 made up 36% of the total number of pupils on roll, whereas 46 pupils (64%) live in areas served by other schools.

## Home location of pupils attending Fletching CE Primary School



The majority of pupils currently attending Fletching are from out of the area, while a number of children living in the village travel to other schools. The majority of pupils therefore already face journeys to and from school each day. Latest analysis shows that of the 55 Reception to Year 5 pupils likely to be affected by the proposal, approximately 68% live nearer to an alternative school, with approximately 32% living further away. Should the school close the likely impact on traffic and the environment might potentially be reduced if displaced pupils attend schools nearer to their home address. The local authority acknowledges that some pupils living in Fletching and attending the school might face longer journeys to and from an alternative school each day and that this might increase car usage for these families. For families that live outside of the Fletching community area it is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers. It is hoped that for these families car usage might reduce.

Alternative schools are between 2.6 and 5.9 miles away from Fletching as shown in the table below. For the majority of pupils and families these schools might be nearer to their home address.

School	Distance from Fletching CE Primary School in miles (rounded)
Chailey St Peter's CE Primary School	4.0
Danehill CE Primary School	4.0
Newick CE Primary School	2.6
Bonnars CE Primary School	3.1
Buxted CE Primary School	4.5
Framfield CE Primary School	5.9
Harlands Primary School	4.7
High Hurstwood CE Primary School	5.9
Holy Cross CE Primary School	3.7
Little Horsted CE Primary School	5.7
Manor Primary School	4.2
Nutley CE Primary School	3.5
Rocks Park Primary School	3.7
St Philip's Catholic Primary School	4.2

Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below. The local authority currently estimates five pupils would be eligible for free home to school transport to their nearest alternative school although this figure might change if pupils are unable to access a place at their nearest alternative school.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

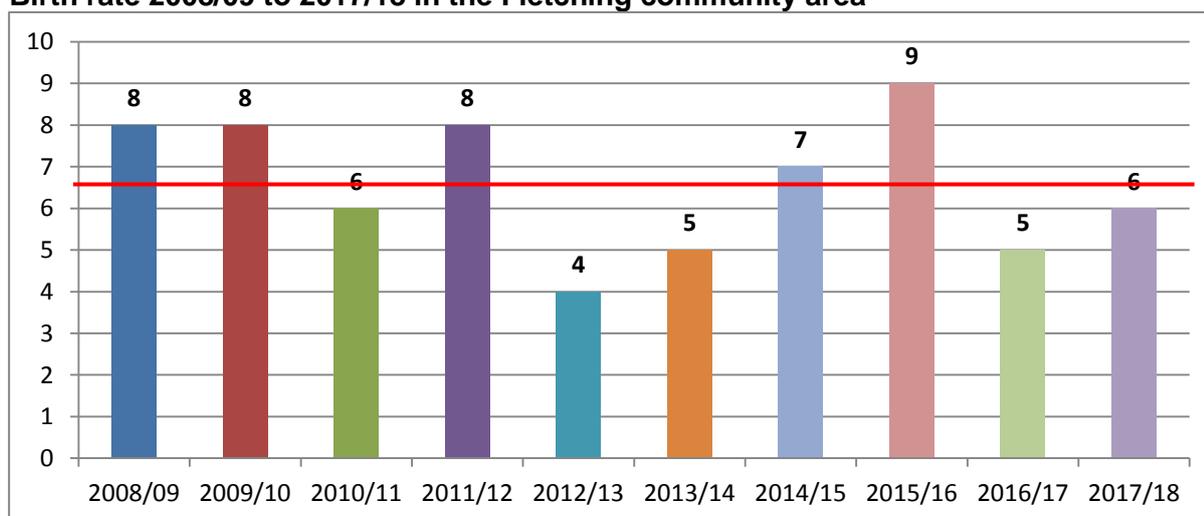
**Recommendations:**

None

**Impact on community demographics**

The 10-year average birth rate in the Fletching community area is less than 7 per annum (the school's published admission number is 15), with a high of 9 and a low of 4, as illustrated below.

**Birth rate 2008/09 to 2017/18 in the Fletching community area**



Wealden District Council provides regular updates on housing numbers and trajectories to inform the local authority's pupil forecasts. The most recent update was provided in spring 2019 and showed that only eight new homes are planned in Fletching Parish over the remaining Wealden Local Plan period to 2027/28.

The local authority's published pupil yields from new housing are:

**Pupil yields from new homes**

Pupil yield per new dwelling by property type and size	Houses 2 bed+	Flats 2 bed+	Houses / flats 1 bed
Primary schools	0.25	0.0375	0.00

Taking these pupil yields into account and assuming that all new homes in the Fletching community area are houses with two bedrooms or more, this would generate an estimated 2 additional pupils in total across all year groups during the Local Plan period to 2027/28.

**Potential Impact:**

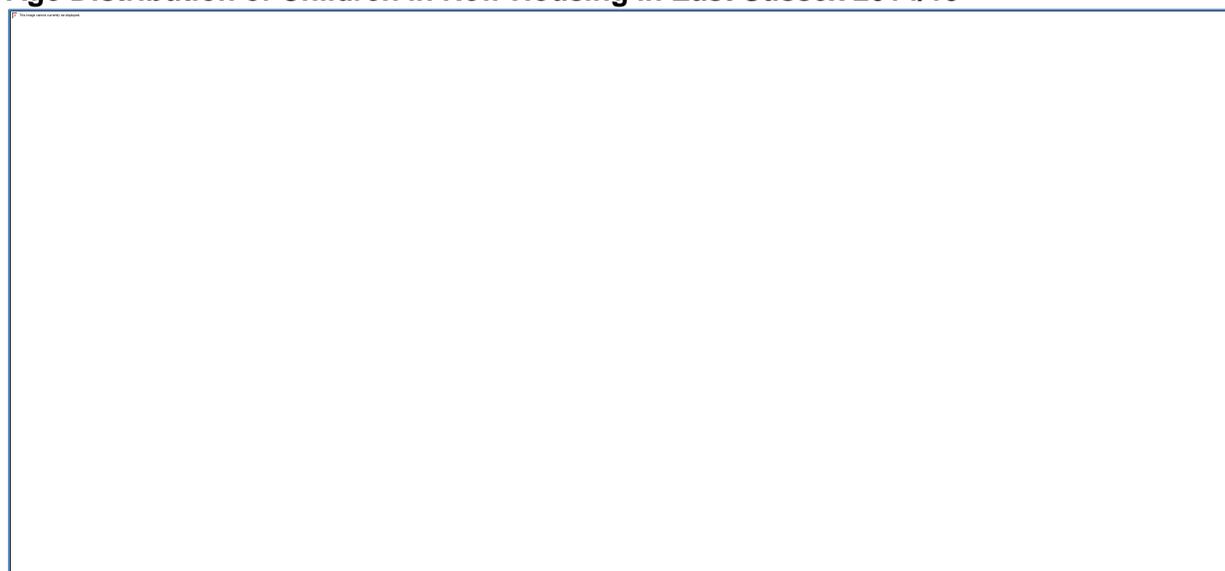
The closure of the school could have the effect of making the village less attractive to families with school age children and so attracting an older population.

**Mitigating Factors:**

Fletching's birth rate indicates that population growth, even with the limited house building planned in the village, would be low and in-area demand for places at Fletching in the future could be limited. Virtually none of the pupils arising from new housing will be in houses built in Fletching Parish. The majority of new homes will be in school admissions areas served by other schools, most notably Uckfield.

Housing trajectory data from Wealden District Council suggests that development in Uckfield will take another eight years to build out. It will therefore be some time before all of the demand from the new homes materialises. This is evidenced in the chart below which shows the results of a recent countywide survey of children in new housing developments. Households surveyed had been resident in new housing development for up to six years. When this is taken into account it is clear that many of the children living in new housing development are born after households move in. This indicates that there is a time lag between new homes being occupied, children being born and the subsequent demand for primary school places. Many of the children arising from new housing built in the wider area are unlikely to actually impact on primary school pupil numbers until the middle of the next decade.

**Age Distribution of Children in New Housing in East Sussex 2014/15**



Source: Cognisant Pupil Yield Survey for East Sussex County Council 2014/15; ONS, Age by Single Year, Census 2011

Should primary school places be required to accommodate children arising from new housing in the wider area, it is more appropriate to provide those places closer to where the new homes are being built. The proposed closure of Fletching would be unlikely to have a major impact on this.

**Recommendations:**

None

**Summary and conclusions of the potential impact on the community**

The community impact assessment has identified a number of possible areas where the proposal could have some negative impact on a small number of local families and the local community, but also some mitigating factors which limit the impacts.

Issue	Potential impact	Mitigating factors	Conclusions
Impact on pupils	Coping with change to a new school environment.	The local authority and schools would work to minimise disruption of transition.	Initially negative; later potentially positive in terms of widening peer groups and accessing different facilities. Overall: Neutral
Impact on parents and families	Loss of clubs and events.	All the alternative schools provide a range of clubs and events.	Neutral
Impact on wider community	Losing a community venue.	Fletching has a village hall and is close to other villages and towns which host events in community venues.	Potentially negative but could be mitigated by use of village hall
	Local shop losing trade (if reopened).	None	Potentially negative
Impact on neighbouring schools	Neighbouring schools would offer places to pupils currently at Fletching.	There are sufficient places at surrounding schools to take all the pupils from Fletching.	Positive
Impact on pupil travel arrangements	Some families may experience increased costs and travel time to school, others may experience reduced costs and travel time to school.	For the majority of pupils there are alternative schools nearer to their home address. Some pupils living in Fletching might face longer journeys to and from an alternative school each day and that this might increase car usage for these families. Free home to school transport would be available for eligible pupils.	Potentially negative for pupils living in Fletching who might face longer journeys to and from school each day.
Issue	Potential impact	Mitigating factors	Conclusions

Impact on community demographics	Closure of the school may impact the balance of the community.	The birth rate in the village is low and projected to remain so. Virtually none of the pupils arising from new housing in the area will be in houses built in Fletching Parish. The majority of new homes will be in school admissions areas served by other schools.	Neutral
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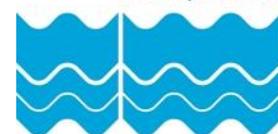
In any small community, the loss of one institution or business will be felt proportionately more than in a larger community and the closure of a school in a village community will undoubtedly impact. Good schools engage parents in their children’s education and reach out to the wider community for support, as well as providing community facilities. However, these must be considered beneficial side-effects to the main duty of a school which is to provide a quality education to its pupils. Numbers on roll, budget deficits and quality of education must be the considerations in any decision on the future of a school and, while a community may be impacted by a decision to close this cannot be the overriding factor

**References**

- [1] Sell, R., Leistritz, L. and Thompson, J. (1996) “Socio-economic impacts of schools consolidation on host and vacated communities”. *Agriculture Economic Report No. 347*
- [2] Sustainable Education Review, The Impacts of School Closures Analysis Report, The Moray Council November 2014

November 2019

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## Fletching CE Primary School

### Presumption against the closure of rural schools

#### Introduction

Fletching CE Primary School (Fletching) is designated as a rural school under the Designation of Rural Primary Schools (England) Order 2018.

The Department for Education (DfE) statutory guidance *‘Opening and closing maintained schools’* November 2019 (the guidance) refers to a presumption against the closure of rural schools. The guidance states:

*“Proposers should be aware that the Department expects all decision makers to adopt a presumption against the closure of rural schools. This doesn’t mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area”*

The presumption against closure does not mean that rural schools cannot be closed by local authorities, but they have a duty to carefully consider the factors set out in the guidance when proposing to close a rural school. These factors are:

- 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. child care 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 local people and the 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.

Each of these factors is addressed below.

#### Alternatives to closure

A number of alternative options were considered by the local authority before agreeing to consult on the proposed closure of Fletching. These included:

- **Federation.** Fletching is in partnership with Chailey St Peter’s CE Primary School until August 2020 and could consider federation beyond this. Although federations are recognised as a way of enabling smaller schools to work more formally in partnerships to share costs, the governing board have not presented any plans that demonstrate how a federation would address the financial challenges faced at the school.

- **Amalgamation.** Consideration was given to amalgamating Fletching with Chailey St Peter's. This option would produce the same outcome as the current proposal to close Fletching and merge the two community areas for admissions purposes.
- **Academisation.** In undertaking their due diligence, academy trusts, both local and national, find some small schools to be financially unviable or too isolated to be included in their trust, unless they convert with other small schools as a local hub. Governors have not expressed a desire to academise. The diocese has not indicated any interest in the school becoming an academy in a diocese multi-academy trust. No other academy trust has approached the local authority about taking the school into their trust.
- **No change.** Fletching has been undersubscribed in each of the last five years and pupil numbers fall significantly short of its published admission number each year. There is very little in-area demand for places at the school. The school faces significant financial challenges, with the governors three year budget plan submitted in May 2019 showing a deficit of over £145,000 by 2021/22. Doing nothing will not address the low pupil numbers and the longer term viability of the school. Since the consultation was launched the financial position of the school has changed and this is addressed in the Lead Member report.

A number of alternative options to closure have been suggested by respondents to address the challenges the school faces. These are set out below and have been categorised according to the following headings.

Those considered unrealistic, costly or outside the control of the local authority or school

- Ask parents for a subscription type payment
- Make the school a privately funded community school

Local authority response: Fletching is a state funded primary school. It is not allowed to ask parents for a subscription type payment and cannot change its status to become a privately funded school.

- Organise a school bus to run from Uckfield to the school

Local authority response: Running a bus from Uckfield could be costly and would potentially take children away from their local schools.

- Establish/recognise the specialist SEN provision at the school

Local authority response: The local authority recognises the strength of positive comments regarding how the school meets the needs of pupils with SEN. However, identifying and meeting the needs of learners with SEN is an expectation of all mainstream schools, as set out in the SEND Code of Practice and measured through the East Sussex Quality Mark for Inclusion (ESQMI).

Fletching is a mainstream school; it is not a special school. Although the school identifies a high percentage of pupils requiring SEN support this is a threshold the school sets for additional support. The needs of these pupils are well below the threshold for specialist provision, which requires an Education Health and Care Plan (EHCP). This below average level of pupils with complex SEN needs in the school is evident in the school's below average proportion of pupils with an EHCP. Unlike the threshold for additional needs which is determined at school level, the threshold for EHCPs is managed consistently across the County.

Data indicates that there is limited demand for specialist SEN provision in the area and pupil need is met through existing provision. A specialist facility would not address the challenges that the school is facing as it would not be available to the current Fletching School pupils as they are working above the threshold for that provision.

- Increase the funding for the school either from local authority resources or by lobbying central government

Local authority response: The national funding formula is determined by the government and allocated to local authorities via the Dedicated Schools Grant. The local authority does not have resources to increase funding for the school.

- Build more houses in the local area

Local authority response: The local authority is not responsible for planning house building in the local area, this falls to Wealden District Council as the local planning authority.

- Encourage more families with young children to move to the village

Local authority response: It is not the school's or local authority's role to seek to encourage families with young children to move to the village and indeed the resources required to attempt to do so would be prohibitive and likely to be of little effect.

#### Those considered within the local authority's and/or school's control

- Merge the school with another local school

Local authority response: No further information was provided about the option to merge Fletching with another school so it is unclear how this would address the challenges the school faces.

- Establish a pre-school on the school site to help recruit more pupils

Local authority response: The birth rate in the village is low at less than 7 per annum and there is insufficient demand locally for a pre-school on the school site. As there is no unmet demand in the area, a new pre-school would need to attract children from other providers potentially putting those existing providers at risk.

- Reassign the community area of the school so that it is larger. One suggestion was to merge the community area with that of Newick rather than Chailey St Peter's as it is the closest neighbouring school

Local authority response: Expanding Fletching's community area is unlikely to increase the roll as there are sufficient unfilled places at the school for out of area children. In addition the increase might be at the expense of other schools which would be required to operate within a reduced community area and it is very unlikely they would agree to such a proposal.

- Shut another local school (Holy Cross)

Local authority response: Closing Holy Cross is not an option as it would reduce capacity in Uckfield when 1,000 new homes are to be built there.

### Those considered within the school's / diocese's control

- Expand the partnership / federation with more schools to share costs
- Academisation
- Seek funds from the Diocese / Church
- Consider the sale of the school house to invest in the school
- Put a road sign on the main road to advertise the school.

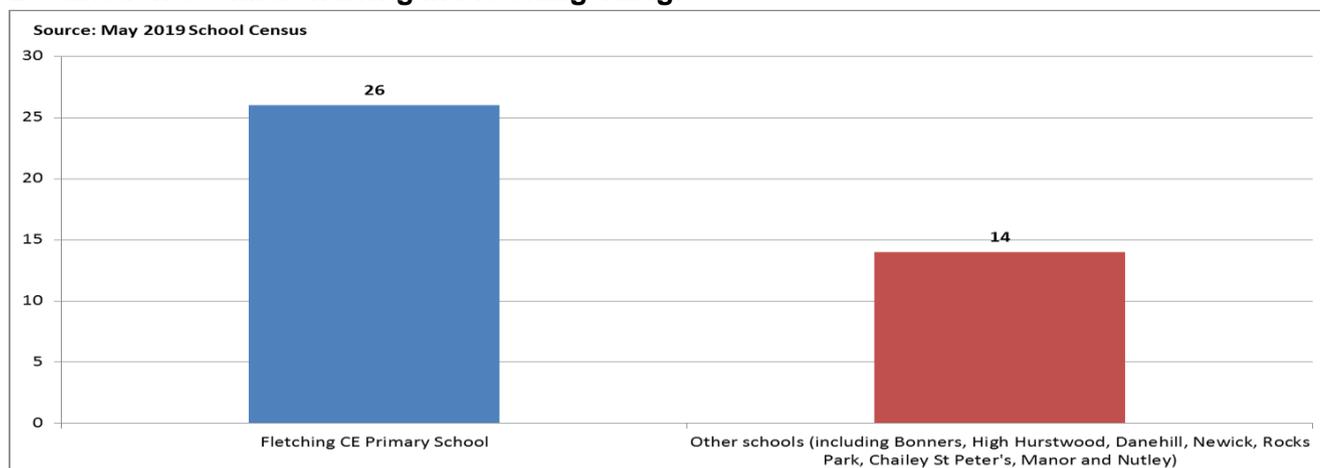
Local authority response: These are options for the school and diocese to consider together. The local authority's view on partnership, federation and academisation is referred to under the heading 'alternatives to closure' above. The installation of a road sign would be unlikely to increase pupil numbers; the school is advertised to parents and carers through information provided during the admissions process as is the case for all schools. A significant proportion of pupils who attend Fletching live outside the school's community area. This indicates that parents and carers who do not live in Fletching are already aware of the school; it is unlikely that the installation of a road sign would make a material difference.

### Transport implications

Some families may be impacted by additional travel costs and travel time. The closure of the school may impact members of the community who will have to go beyond the local village to engage with teachers and use community facilities. Respondents to the consultation cited the impact on traffic and the environment of children having to travel by car to their nearest alternative school.

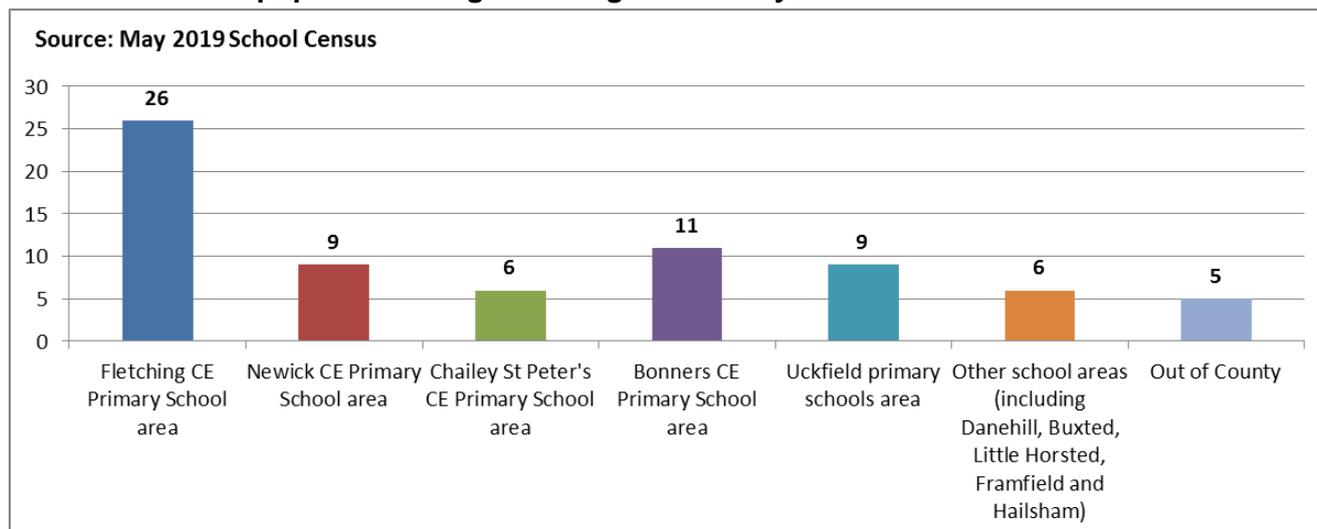
The May 2019 School Census showed 40 children living in the Fletching community area attending state funded schools in East Sussex. Of these, 26 (65%) attended Fletching while 14 (35%) attended other schools in the surrounding area.

### Destination of children living in Fletching Village



The 26 pupils from Fletching made up 36% of the total number of pupils on roll. The remaining 46 pupils (64%) live in areas served by other schools.

## Home location of pupils attending Fletching CE Primary School



The majority of pupils currently attending Fletching are from out of the area, while a number of children living in the village travel to other schools. The majority of pupils therefore already face journeys to and from school each day. Latest analysis shows that of the 55 Reception to Year 5 pupils likely to be affected by the proposal, approximately 68% live nearer to an alternative school, with approximately 32% living further away. Should the school close the likely impact on traffic and the environment might potentially be reduced if displaced pupils attend schools nearer to their home address. The local authority acknowledges that some pupils living in Fletching and attending the school might face longer journeys to and from an alternative school each day and that this might increase car usage for these families. For families that live outside of the Fletching community area it is envisaged that displaced pupils would continue to be transported to and from school under arrangements made by their parents and carers. It is hoped that for these families car usage might reduce.

Alternative schools are between 2.6 and 5.9 miles away from Fletching as shown in the table below. For the majority of pupils and families these schools might be nearer to their home address.

School	Distance from Fletching CE Primary School in miles (rounded)
Chailey St Peter's CE Primary School	4.0
Danehill CE Primary School	4.0
Newick CE Primary School	2.6
Bonners CE Primary School	3.1
Buxted CE Primary School	4.5
Framfield CE Primary School	5.9
Harlands Primary School	4.7
High Hurstwood CE Primary School	5.9
Holy Cross CE Primary School	3.7
Little Horsted CE Primary School	5.7
Manor Primary School	4.2
Nutley CE Primary School	3.5
Rocks Park Primary School	3.7
St Philip's Catholic Primary School	4.2

Free home to school transport would be provided for eligible pupils who meet the criteria set out in the link below. The local authority currently estimates five pupils would be eligible for free home to school

transport to their nearest alternative school although this figure might change if pupils are unable to access a place at their nearest alternative school.

<https://www.eastsussex.gov.uk/educationandlearning/schools/transport/>

## **Size of the school and quality of education**

Fletching is a small rural school with a published admission number of 15 and capacity for 105 pupils (15 x 7 year groups). At full capacity the school would be expected to have four classes organised as follows.

Reception class of 15  
Year 1 / 2 class of 30  
Year 3 / 4 class of 30  
Year 5 / 6 class of 30

Due to its low pupil numbers the school is currently organised across three classes:

Reception, Year 1 and Year 2 class of 24  
Year 3 / 4 class of 23  
Year 5 / 6 class of 22

Source: School's pupil number return dated 4 November 2019

The local authority has recently categorised the school as good. It recognises that the school provides a good level of education, as do other schools in the local area. However, the case to consult on the proposed closure of the school was based also on the low pupil numbers, long-term limited in-area demand for places and the high level of surplus places.

The school's budget position for this year and next year has improved. The substantial PTA fundraising effort has allowed the school to avoid a deficit for 2019/20 and significantly improves the 2020/21 year end forecast (see section 3.10 of the Lead Member report). However, though comparatively small, the school is still forecasting a deficit in 2020/21 and spending exceeds sustainable income sources year on year. The majority of the fundraising appears to be one off in nature with no demonstrable ongoing commitment beyond 2019/20. The school has already restructured to three classes to achieve budget savings, further restructuring is arguably not possible without impacting on the quality of education being provided.

The local authority remains of the view that the school continues to be vulnerable, its budget deficit has only been addressed on a short-term basis through one-off funding and concern remains about the lack of any ongoing committed funding to support the school beyond next financial year, 2020/2021. Current forecasts for the school do not suggest it will attract many more pupils from out of area than it has in the past. In-area demand for places remains low.

Importantly, the position has not changed with regard to the number of pupils in the surrounding area and there is a risk that while Fletching may succeed to grow its roll over time the cost could be felt by other local schools.

## **The impact on local people and the community**

A number of respondents to the consultation classified themselves as members of the local community. The local authority recognises that the majority of respondents disagree with the proposal to close Fletching. The school is seen as an important part of the village and its loss could have an impact on community life. This is addressed in the Community Impact Assessment appended to the Lead Member report.

## **School organisation and capacity to accommodate displaced pupils**

At the time of writing the October 2019 school census had not been released by the Department for Education. In the absence of this official data set, the local authority has used pupil number returns submitted by schools between September and November 2019 to assess, albeit informally, the current capacity at Fletching and schools in the North Chailey area.

### Provisional pupil numbers in North Chailey review area

Capacity	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total	Capacity	Surplus	% surplus
		80	80	80	80	80	80	80				
Fletching	15	5	9	10	10	13	8	14	69	105	36	34%
Chailey St Peter's	20	17	15	17	20	22	23	25	139	140	1	1%
Danehill*	15	13	16	11	11	17	10	18	96	105	9	9%
Newick	30	30	27	33	34	32	30	30	216	210	0	0%
<b>Totals</b>	<b>80</b>	<b>65</b>	<b>67</b>	<b>71</b>	<b>75</b>	<b>84</b>	<b>71</b>	<b>87</b>	<b>520</b>	<b>560</b>	<b>46</b>	<b>8%</b>

Data source: Pupil number returns from individual schools during the 2019/20 academic year.

\* Danehill's capacity takes account of the decision to increase its PAN to 15 with effect from 2020/21 and that the school is already organised to its new PAN.

Fletching has largely maintained its pupil numbers despite the consultation on closure. There has been a net loss of only two pupils since the January 2019 school census.

Reflecting that Fletching takes children from a wider area than just North Chailey (including Uckfield and the surrounding area), an analysis of pupil numbers in the wider area is included below.

### Provisional pupil numbers in North Chailey, Uckfield and the surrounding area

Capacity	PAN	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total	Capacity	Surplus	% surplus
		365	365	365	365	365	365	365				
Fletching	15	5	9	10	10	13	8	14	69	105	36	34%
Chailey St Peter's	20	17	15	17	20	22	23	25	139	140	1	1%
Danehill*	15	13	16	11	11	17	10	18	96	105	9	9%
Newick	30	30	27	33	34	32	30	30	216	210	0	0%
Bonnars	15	17	20	19	18	14	13	10	111	105	0	0%
Buxted**	30	30	27	23	26	25	30	24	185	210	25	12%
Framfield	15	15	15	9	14	17	12	13	95	105	10	10%
Harlands	30	28	30	24	30	29	26	28	195	210	15	7%
High Hurstwood	15	16	15	15	15	16	15	13	105	105	0	0%
Holy Cross	30	9	15	11	10	19	9	12	85	210	125	60%
Little Horsted	15	17	14	18	17	13	16	13	108	105	0	0%
Manor	60	60	55	61	60	60	59	60	415	420	5	1%
Nutley	15	16	12	17	12	12	16	14	99	105	6	6%
Rocks Park	30	30	30	30	30	30	30	30	210	210	0	0%
St Philips	30	29	30	15	32	27	30	30	193	210	17	8%
<b>Totals</b>	<b>365</b>	<b>332</b>	<b>330</b>	<b>313</b>	<b>339</b>	<b>346</b>	<b>327</b>	<b>334</b>	<b>2321</b>	<b>2555</b>	<b>249</b>	<b>10%</b>

Data source: Pupil number returns from schools between September and November 2019.

\* Danehill's capacity takes account of the decision to increase its PAN to 15 with effect from 2020/21 and that the school is already organised to its new PAN.

\*\* Buxted's capacity takes account of the decision to increase its PAN to 30 with effect from 2020/21 and that the school is already organised to its new PAN.

Surplus places at Fletching remain high at 34%. Schools operate most efficiently and effectively when full or nearly full. To this end the local authority seeks to keep the number of surplus places (the number of places in schools that are unfilled) to a minimum. However, it is generally accepted that not all unfilled places in a school are surplus places, but that a small margin of surplus capacity is often allowed to facilitate parental preference, to take account of the fact that schools with available places may not always be in the part of a planning area where the demand is, and to allow for a degree of error in the forecasts. A school is generally considered to be full when it has less than 5% of its places unfilled. This is in line with the National Audit Office report on Capital Funding for new school places published in 2013, where it states:

*“It is considered that on average 5 per cent was the bare minimum needed for authorities to meet their statutory duty with operational flexibility, while enabling parents to have some choice of schools”.*

In larger towns around one form of entry (30 intake places) is allowed while in other areas around half a form of entry (15 intake places) is allowed although margins vary depending on specific forecasts, capacities and circumstances. This figure is deemed to give the appropriate amount of flexibility in an area and is set against the need to ensure the efficient use of resources. In practice, the amount of surplus places planned for in an area will also take account of local circumstances.

The following tables show the local authority's projected pupil numbers for North Chailey, Uckfield and surrounding area taken from the annual update to its pupil forecasts in July 2019. The local authority's pupil forecast take account of housing plans in the area and the likely demand for school places they will generate.

Reception intake and total number on roll projections for the Heathfield primary review area																
Reception itake forecasts	Combined PAN	2018/19			2019/20			2020/21			2021/22			2022/23		
		Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %	Yr R NOR	Surplus places	Surplus %
North Chailey primary review area	80	66	14	18%	69	11	14%	70	10	12%	71	9	12%	65	15	18%
Uckfield primary review area	180	166	14	8%	154	26	14%	160	20	11%	137	43	24%	130	50	28%
Rural Uckfield primary review area	105	105	0	0%	107	0	0%	94	11	10%	99	6	6%	94	11	11%
<b>Totals</b>	<b>365</b>	<b>337</b>	<b>28</b>	<b>8%</b>	<b>330</b>	<b>37</b>	<b>10%</b>	<b>324</b>	<b>41</b>	<b>11%</b>	<b>307</b>	<b>58</b>	<b>16%</b>	<b>289</b>	<b>76</b>	<b>21%</b>

Number on roll forecasts	Combined capacity	2018/19			2019/20			2020/21			2021/22			2022/23		
		Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %	Total NOR	Surplus places	Surplus %
North Chailey primary review area	560	517	43	8%	526	34	6%	516	44	8%	518	42	7%	507	53	10%
Uckfield primary review area	1260	1117	143	11%	1092	168	13%	1100	160	13%	1091	169	13%	1069	191	15%
Rural Uckfield primary review area	735	700	35	5%	699	36	5%	709	26	4%	712	23	3%	712	23	3%
<b>Totals</b>	<b>2555</b>	<b>2334</b>	<b>221</b>	<b>9%</b>	<b>2318</b>	<b>237</b>	<b>9%</b>	<b>2326</b>	<b>229</b>	<b>9%</b>	<b>2321</b>	<b>234</b>	<b>9%</b>	<b>2288</b>	<b>267</b>	<b>10%</b>

Source: January 2019 School Census and ESCC Pupil Forecasts 16.07.19

The North Chailey Primary Area Review Area contains the following schools: Newick CE Primary School; Chailey St Peter's CE Primary School; Danehill CE Primary School and Fletching CE Primary School.

The Uckfield Primary Area Review Area contains the following schools: Harlands Primary School; Holy Cross CE Primary School; Manor Primary School; Rocks Park Primary School and St Philip's Catholic Primary School.

The Rural Uckfield Primary Area Review Area contains the following schools: Bonners CE Primary School, Maresfield; Buxted CE Primary School; Framfield CE Primary School; High Hurstwood CE Primary School; Little Horsted CE School and Nutley CE Primary School.

Danehill CE Primary School's capacity takes account of the decision to increase its PAN to 15 with effect from 2020/21 and that the school is already organised to its new PAN.

Buxted CE Primary School's capacity takes account of the decision to increase its PAN to 30 with effect from 2020/21 and that the school is already organised to its new PAN.

The provisional pupil numbers in 2019/20 (approximately 2,321) are slightly higher than the numbers projected when the forecasts were finalised in July 2019 (+3). Should Fletching close, the combined PAN in the surrounding area would reduce to 350 and capacity would fall to 2,450. It is clear from the information above that there would be sufficient places in the surrounding schools to accommodate displaced pupils from Fletching, although the local authority would need to analyse which alternative schools parents and carers had applied for to assess whether additional places at Chailey St Peter's would be required for in-area pupils.

November 2019