



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

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

TUESDAY, 10 SEPTEMBER 2024 AT 3.00 PM

REMOTE MEETING VIA MICROSOFT TEAMS

AGENDA

1. Decisions made by the Lead Cabinet Member on 25 July 2024 (*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 amalgamation of West Rise Community Infant School and West Rise Junior School (*Pages 5 - 8*)
Report by the Director of Children's Services
5. Burfield Academy and Phoenix Academy (*Pages 9 - 16*)
Report by the Director of Children's Services
6. Any urgent items previously notified under agenda item 3

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2 September 2024

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NOTE: *As part of the County Council's drive to increase accessibility to its public meetings, this meeting will be broadcast live on its website. The live broadcast is accessible at:*
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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 25 July 2024 at Remote Meeting via Microsoft Teams

11. DECISIONS MADE BY THE LEAD CABINET MEMBER ON 23 MAY 2024

11.1 The Lead Member approved as a correct record the minutes of the meeting held on 23 May 2024.

12. DISCLOSURES OF INTERESTS

12.1 There were none.

13. URGENT ITEMS

13.1 There were none.

14. REPORTS

14.1 A copy of the report referred to below is included in the minute book.

15. EXCELLENCE FOR ALL VISION 2024 - 2030

15.1 The Lead Member considered a report by the Director of Children's Services regarding the Excellence for All Vision 2024 – 2030.

DECISIONS

15.2 The Lead Member RESOLVED to approve the content and authorise the publication of the new Excellence for All Vision 2024 – 2030.

REASONS

15.3 The Vision has already been seen by external partners and senior management in the Council's Education Division. The Vision will be published in September 2024 and shared with partners and stakeholders.

15.4 The Vision represents the key ambitions that the Council and its partners share for education in East Sussex over the next 6 years. It has been developed through a thorough analysis of current educational performance data and a consultation process. The renewed Vision will provide schools, settings and colleges with a clear and timely message about the ways in which the Division will support them.

Agenda Item 4

Report to:	Lead Member for Education and Inclusion, Special Educational Needs and Disability
Date:	10 September 2024
By:	Director of Children's Services
Title of report:	Proposed amalgamation of West Rise Community Infant School and West Rise Junior School
Purpose of report:	To seek Lead Member approval to publish a statutory proposal in respect of a proposal to amalgamate West Rise Community Infant School and West Rise Junior School and lower the new school's age range to 2 to 11.

RECOMMENDATIONS:

The Lead Member is recommended to:

- 1) approve publication of a statutory proposal in respect of a proposal to amalgamate West Rise Community Infant School and West Rise Junior School and lower the new school's age range to 2 to 11; and**
 - 2) delegate authority to the Director of Children's Services to amend the proposal prior to its publication if required.**
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1. Background

1.1 Primary education in East Sussex is largely arranged in all-through primary schools for children aged 4 to 11. In Eastbourne there is a mix of all-through primary schools as well as separate 4 to 7 infant schools and 7 to 11 junior schools. West Rise Community Infant School (4 to 7) and West Rise Junior School (7 to 11) are two such schools.

1.2 In agreement with the governors of West Rise Community Infant School and West Rise Junior School, East Sussex County Council (the Local Authority) recently consulted on a proposal to amalgamate the two schools to form a new all-through primary school. Linked to this, the Local Authority is also proposing to change the new school's age range to 2 to 11 which will enable it to take on the management of West Rise Nursery which currently operates as a governor-led nursery under a separate Ofsted registration.

2. Reasons for the proposal

2.1 West Rise Community Infant School and West Rise Junior School are two separate schools which share the same site. Each school has its own governing board and, until recently, had separate headteachers and worked independently. In July 2023, an Ofsted inspection of the junior school judged the quality of education and leadership and management as requires improvement.

2.2 Since January 2024, the schools have been working in partnership with one of the infant co-heads acting as headteacher across the two schools. This has resulted in similar approaches being used across the two schools which will benefit pupils' transition between the schools. This includes, for example, the same approach to the teaching of phonics and early reading across the schools. The Local Authority is keen to further support this partnership working through the formal amalgamation of the two schools. Governors of both schools want to sustain the improvements that are being made and ensure a strong future for the school community. It was, therefore, agreed that a consultation on the proposed amalgamation of the two schools should take place.

2.3 Currently, West Rise Nursery is run by the governors of West Rise Community Infant School under a different Ofsted registration, meaning it is run as a separate legal entity to the school. By changing its age range, the new all-through primary school would be able to formally take on the management of the nursery under the same Ofsted registration as the school.

3. Benefits of amalgamation and the impact on staff

3.1 One of the Local Authority's guiding principles to school organisation is to support the amalgamation of linked infant and junior schools to deliver the benefit of continuous provision from early years to the end of Key Stage 2. Amalgamation would bring about the following educational benefits:

- There would no longer be a need for families of children in Year 2 to have to apply for a place in the junior school from Year 3, thereby removing any uncertainty about transfer to a 'new' school at the end of Key Stage 1.
- A shared vision and ethos across the school.
- Continuity of experience for children - in teaching and learning, pupil care and development – under a single headteacher and staff.
- Greater ability to track progress between key stages.
- A more coherent delivery of the National Curriculum from Foundation Stage through to the end of Key Stage 2.
- Easier sharing of good practice across the whole school.
- Expertise within the whole school could be better targeted across the full age range.
- Professional development opportunities for staff within an all-through primary school environment.
- Greater flexibility in organising classes, deploying teaching and support staff, and using curriculum resources more effectively.
- Greater opportunities for staff recruitment.
- Consistent engagement with families across the school.

3.2 Staff would continue in their roles as the two schools become one all-through primary school. The proposed changes may present opportunities for staff who would have more opportunities for professional development and would be able to gain greater understanding and experience of working in a primary school environment. The employer will remain East Sussex County Council, so there will be no need for a transfer of employment to take place under the Transfer of Undertaking and Protection of Employment Regulations 2006 (as amended in 2014) (TUPE).

3.3 No existing member of staff would be required to change their contract of employment by working across both schools. The proposed change would not constitute a break in service or affect staff terms and conditions in any way. The Local Authority knows the process of bringing two schools together as one can be unsettling for staff. As with any process of change, the interests of staff must be considered carefully, and all staff, and their unions would be consulted in accordance with the Council's Managing Change policies. The Local Authority's Human Resources team would work closely with school staff throughout the transition.

4. Consultation

4.1 In accordance with the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 (the Regulations), the local authority consulted on the proposed amalgamation and change of age range between 15 April and 24 May 2024. The Local Authority consulted with the school community, local schools and early years providers and other key stakeholders. Consultation meetings were held for staff and parents and carers on 22 April 2024.

4.2 By the end of the consultation period, 55 responses had been received via the Local Authority's consultation hub.

4.3 In response to question 1 'Do you support the proposal to amalgamate West Rise Community Infant School and West Rise Junior School?':

- 76% support the proposal
- 9% do not support the proposal
- 15% were undecided

4.4 In response to question 2 'Do you support the proposal to lower the school's age range to take on the management of West Rise Nursery under one Ofsted registration?':

- 82% support the proposal
- 9% do not support the proposal
- 9% were undecided

4.5 Question 3 asked 'Please let us know how the proposed changes would directly impact on you and your family'. 34 respondents answered this question, of which at least 18 could be said to be directly affected by the proposals. 6 respondents either stated that they would not be impacted or recorded 'n/a' as their answer. The remaining 10 who answered this question did not state if they were or were not directly affected.

4.6 The main concern raised by respondents related to the potential impact on the school's budget. This is addressed in section 5 below. A consultation analysis report which includes all responses received, can be viewed in the Cabinet and Members' rooms at County Hall.

5. School budget

5.1 School budgets are largely based on pupil numbers. However, as well as other factors that make up the funding formula for schools is a lump sum for all primary schools regardless of their size. West Rise Community Infant School and West Rise Junior School currently receive lump sum funding as separate schools. Should the amalgamation proceed the new 'all-through' primary school would eventually receive one lump sum. Funding protection would be applied to enable the school to achieve the economies of scale from being one larger primary school. The Local Authority's initial proposal was to amalgamate the two schools on 1 January 2025. However, having listened to concerns raised by governors at the consultation meeting on 22 April about the timing of the funding protection, the Local Authority is now proposing that the schools should amalgamate on 1 May 2025. Assuming there are no changes to funding arrangements governing amalgamations, and the lump sum figure stays at the current rate, the following funding protection would be applied.

- Following amalgamation, the new school would keep the two lump sums for the remainder of the 2025/26 financial year: £268,800.
- In the 2026/27 financial year the school would receive 85% of the two lump sums: £228,480.
- In the 2027/28 financial year the school would receive one lump sum: £134,400.

5.2 It is important to balance the financial implications of amalgamation with the practical benefits set out above. The amalgamation of the two schools would lead to one larger budget across a single school and lead to cost savings in certain areas.

6. Establishing the new school

6.1 To establish one 'all-through' primary school with nursery provision, the Local Authority proposes to close West Rise Junior School on 30 April 2025 (this is known as a technical closure) and change the age range at West Rise Community Infant School from 4 to 7 to 2 to 11 from 1 May 2025. In doing so, the school would likely change its name to West Rise Primary School and would continue to operate across the existing site and premises.

7. Conclusion and reasons for recommendation

7.1 The proposal to amalgamate West Rise Community Infant School and West Rise Junior School builds on the improvements being made through the partnership working between the two schools and aligns with one of the guiding principles to school organisation in East Sussex.

7.2 The Local Authority believes that the longer-term future for education in the local area can best be achieved through amalgamating the two schools into one all-through primary school, operating on the same site, and for that reason, the Lead Member is recommended to:

- 1) approve publication of a statutory proposal in respect of a proposal to amalgamate West Rise Community Infant School and West Rise Junior School and lower the new school's age range to 2 to 11; and
- 2) delegate authority to the Director of Children's Services to amend the proposal prior to its publication if required.

CAROLYN FAIR
Director of Children's Services

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LOCAL MEMBERS

Councillor Alan Shuttleworth

Agenda Item 5

Report to: Lead Member for Education and Inclusion, Special Educational Needs and Disability

Date: 10 September 2024

By: Director of Children's Services

Title of report: Burfield Academy and Phoenix Academy

Purpose of report: To consider the local authority's response to Step Academy Trust's consultation on a proposal to amalgamate Burfield Academy and Phoenix Academy.

RECOMMENDATIONS:

The Lead Member is recommended to approve an updated response from the local authority to Step Academy Trust's consultation on the proposed amalgamation of Burfield Academy and Phoenix Academy, to include the points set out in paragraph 3.2.

1. Background

1.1 Burfield Academy and Phoenix Academy are both located in Hailsham and are part of Step Academy Trust. Each school has a published admission number (PAN) of 30 and capacity for 210 children from Reception to Year 6. Burfield Academy also has nursery provision for three- and four-year-olds.

1.2 Step Academy Trust commenced a consultation in April 2024 on the proposed amalgamation of Burfield Academy and Phoenix Academy on the Marshfoot Lane site. As an Academy school the Trust is responsible for proposing this change and consulting with the local community and stakeholders before applying to the Department for Education for approval. The Department for Education is the decision maker. East Sussex County Council (the Local Authority) is required to be consulted on the proposal.

1.3 At the Lead Member meeting on 23 May 2024 a report on Step Academy Trust's consultation was considered which contained a recommendation to approve a response from the local authority to the consultation. The full report for the May meeting can be viewed at Appendix 1.

1.4 At the meeting on 23 May 2024, and as recorded in the minutes of the meeting, *the Lead Member RESOLVED:*

- 1) *to approve the local authority responding to Step Academy Trust's consultation on the amalgamation of Burfield Academy and Phoenix Academy, confirming that it does not object to the proposal.*
- 2) *to acknowledge that the final decision is not for the local authority who are consultees.*
- 3) *that the regional school commissioner and the DfE be asked to take account of the strong feelings of the parents and pupils of Burfield and Phoenix academies as detailed in the emails and petitions submitted; and*
- 4) *to request that any decision by the DfE takes fully into account the emerging Wealden Local plan and current housing provisions already granted.*

1.5 Since the meeting in May 2024, the Local Authority has updated the pupil forecasts for the county, including for Hailsham. This report seeks Lead Member approval to update the Local Authority's response to Step Academy Trust's proposal in light of the new data and forecasts.

2. Supporting Information

2.1 As set out in the report to Lead Member on 23 May 2024, at the January census there were 147 surplus places at Burfield and Phoenix Academies, which equates to 38% of current operational capacity. Overall, in Hailsham and surrounding area, there were 204 surplus places (9%) based on current organisational capacity. If measured against the physical capacity of schools in the area, the number of surplus places jumps to 384, or 16% of capacity. Both figures exceed the 5% recommended by the National Audit Office in its report on Capital Funding for new school places published in 2013.

2.2 The Local Authority understands from Step Academy Trust that the new amalgamated school on the Marshfoot Lane site would be a one form entry school with a PAN of 30 with nursery provision. The trust has confirmed that all existing children on roll at Burfield Academy and Phoenix Academy would be offered a place at the new amalgamated school. In the short term this would require additional temporary capacity which is already in place on the Marshfoot Lane site due to the current co-location arrangement. As smaller Reception cohorts began to replace existing larger cohorts, the temporary capacity would be removed until the new amalgamated school had capacity for 30 children in each year group and 210 overall

2.3 Should the proposed amalgamation of Burfield Academy and Phoenix Academy be approved by the Department for Education, there would be a reduction of 210 primary places in Hailsham and surrounding area. This will take the overall capacity of Reception Year places in the town to 315 and the total capacity of all primary school places to 2,205 in the longer term once the additional capacity at Phoenix is removed.

2.4 Based on the updated pupil forecasts which will be published in in the School organisation Plan 2024 to 2028 in the autumn, there would be two years where Reception Year places would be marginally tight and there would be a reduction in the number of surplus primary school places across the town over the three years.

Table 1: Forecast Reception and primary numbers in Hailsham and surrounding area

Forecast reception numbers	2025/26	2026/27	2027/28
Reception numbers across all schools	319	302	315
Reduced PAN across all schools	315	315	315
Surplus/shortfall (-)	-4	13	0
Total primary numbers across all schools	2150	2178	2231
Capacity across all schools (includes additional temporary capacity to ensure all existing Burfield Children can be accommodated at Phoenix)	2265	2265	2265
Surplus/shortfall (-)	115	87	34

Source: ESCC Forecasts for the School Organisation Plan 2024 to 2028

2.5 The Draft Wealden Local Plan envisages over 4,000 additional units of new housing in the Hailsham and Hellingly area over the period to 2039/40. When the temporary accommodation at the merged school is removed and overall capacity of pupil places in the town is reduced to 2205, the Local Authority therefore may see from 2028/29 onwards, a reduction in the number of surplus places.

3. Conclusion and reasons for recommendations

3.1 In conclusion, the proposed amalgamation of the two schools, and the subsequent reduction in capacity in the area, will mean that there is some increased pressure on pupil places across the area. The Local Authority also recognises that Step Academy Trust’s proposal will mean that instead of two schools with low numbers there will be one school with pupil numbers close to their PAN. This is likely to provide educational benefits to pupils due to the Trust being able to provide and sustain a greater breadth of curriculum, pupil support and extra curricula opportunities.

3.2 It is recommended that the Local Authority’s response to the consultation is updated to note:

- The new pupil forecasts;
- The change in national policy on mandatory housing targets which may lead to additional pressure on school places in the Wealden District Council area; and
- That the Department for Education remains the decision-maker

This will ensure that the Department for Education is fully informed when making their decision on Step Academy Trust's proposal.

CAROLYN FAIR
Director of Children's Services

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LOCAL MEMBERS

Councillor Gerard Fox
Councillor Steve Murphy

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Report to:	Lead Member for Education and Inclusion, Special Educational Needs and Disability
Date:	23 May 2024
By:	Director of Children’s Services
Title of report:	Burfield Academy and Phoenix Academy
Purpose of report:	To consider the local authority’s response to Step Academy Trust’s consultation on a proposal to amalgamate Burfield Academy and Phoenix Academy.

RECOMMENDATIONS:

The Lead Member is recommended to approve the local authority responding to Step Academy Trust’s consultation on the amalgamation of Burfield Academy and Phoenix Academy, confirming that it does not object to the proposal.

1. Background

1.1 Burfield Academy and Phoenix Academy are both located in Hailsham and are part of Step Academy Trust. Each school has a published admission number (PAN) of 30 and capacity for 210 children from Reception to Year 6. Burfield Academy also has nursery provision for three and four year olds.

1.2 Since September 2023, Burfield Academy has been co-located with Phoenix Academy on its site in Marshfoot Lane, Hailsham. This is to enable extensive remedial works to be carried out to the Burfield Academy building in Oaklands Way, Hailsham. The extensive nature of the works mean that Burfield Academy cannot remain on site while these works are undertaken.

1.3 In January 2024, Step Academy Trust submitted a planning application to the local authority to vary a condition of the original planning permission for the school, to remove all obligations concerning on-site parking provision for drop-off and pick-up (the “kiss and drop”) at Burfield Academy, citing health and safety reasons. On 13 March 2024, the local authority’s Planning Committee resolved to refuse planning permission to remove the kiss and drop obligations.

1.4 Step Academy Trust issued a press release on the same day as the planning meeting stating that without removal of the condition that the site is “*operationally unsuitable for use as a primary school*”. This was despite the possibility of further discussions with planning officers.

1.4 On 29 April 2024, a consultation on the proposed amalgamation of Burfield Academy and Phoenix Academy on the Marshfoot Lane site was launched by Step Academy Trust. The consultation is attached at Appendix 1. The consultation period runs until 24 May 2024.

1.5 As academy schools, the Trust is responsible for proposing this change and consulting with the local community and stakeholders, before applying to the Department for Education for approval. The Department for Education is the decision maker and will consider the response from the local authority before making a final decision. This report seeks Lead Member approval for the local authority’s response to Step Academy Trust’s proposal.

2. School places in Hailsham

2.1 At the January 2024 school census, Burfield Academy had 150 children on roll from Reception to Year 6 and Phoenix Academy had 93 children on roll. Based on the way classes are currently organised in the two academies, there were 147 surplus places, which equates to 38% of current operational capacity.

Table 1: Pupil numbers at Burfield Academy and Phoenix Academy

School	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total
Burfield	14	21	27	20	17	22	29	150
Phoenix*	7	17	-	18	19	10	22	93
Total	21	38	27	38	36	32	51	243
Combined capacity	60	60	30	60	60	60	60	390
Surplus/shortfall (-)	39	22	3	22	24	28	9	147

Source: January 2024 school census

* Phoenix Academy did not have a Reception year intake in 2021/22 (now Year 2)

2.2 At the same time, there were 1,788 children on roll in the six other schools in Hailsham and surrounding area, with 57 surplus places (3%) based on current organisational capacity.

Table 2: Pupil numbers at the six other schools in Hailsham and surrounding area

School	YR	Y1	Y2	Y3	Y4	Y5	Y6	Total
Grovelands	90	90	93	92	92	92	93	642
Hailsham*	60	59	60	58	55	-	-	292
Hawkes Farm	46	60	30	51	59	59	60	365
Hellingly	29	30	29	22	28	31	30	199
Park Mead	12	14	16	13	14	17	15	101
White House	22	29	29	26	25	27	31	189
Total	259	282	257	262	273	226	229	1788
Combined capacity	285	285	255	285	285	225	225	1845
Surplus/shortfall (-)	26	3	-2	23	12	-1	-4	57

Source: January 2024 school census

* Hailsham opened in 2019/20 and is filling from Reception year up

2.3 Overall in Hailsham and surrounding area, there were 204 surplus places, or 9% of current organisational capacity. If measured against the physical capacity of schools in the area, the number of surplus places jumps to 384, or 16% of capacity. Both figures exceed the 5% recommended by the National Audit Office in its report on Capital Funding for new school places, published in 2013.

2.4 The local authority understands from Step Academy Trust that the new amalgamated school on the Marshfoot Lane site would be a one form entry school, with a PAN of 30, with nursery provision. The trust has confirmed that all existing children on roll at Burfield Academy and Phoenix Academy would be offered a place at the new amalgamated school. In the short term, this would require additional temporary capacity, which is already in place on the Marshfoot Lane site, due to the current co-location arrangement. As smaller reception cohorts began to replace existing larger cohorts, the temporary capacity would be removed until the new amalgamated school had capacity for 30 children in each year group and 210 overall.

2.5 Should the proposed amalgamation of Burfield Academy and Phoenix Academy be approved by the Department for Education, there would be a reduction of 210 primary places in Hailsham and surrounding area. Based on predicted reception intakes in the School Organisation Plan 2023 to 2027, the local authority believes there would be sufficient places to meet demand until at least the end of the School

Organisation Plan period and quite possibly to the end of the decade, although numbers in 2025/26 might be tight, as set out in the table below.

Table 3: Forecast reception numbers in Hailsham and surrounding area

Forecast reception numbers	2024/25	2025/26	2026/27
Reception numbers across all schools	295	319	294
Reduced PAN across all schools	315	315	315
Surplus/shortfall (-)	20	-4	21

Source: School Organisation Plan 2023 to 2027

2.6 In the medium to long term, it is possible that an upturn in the birth rate, coupled with further housing developments in the local area would start to put pressure on primary school places in Hailsham. In that event, the local authority would look to expand existing provision to create additional capacity. Several school sites in the area lend themselves to further expansion, should that be required in the future.

3. Conclusion and reasons for recommendations

3.1 The proposed amalgamation of the two schools, and the subsequent reduction in capacity in the area, would be unlikely to put pressure on school places in the short term. The proposal will mean that instead of two schools with low numbers there will be one school with pupil numbers close to their PAN. This is likely to provide educational benefits to pupils, due to the Trust being able to provide a greater breadth of curriculum, pupil support and extra curricula opportunities.

3.2 The planning issue with regard to the “Kiss and Drop” facility is seen by the local authority as a catalyst for the merger proposal and not a major reason in itself.

3.3 On the basis of the projected pupil numbers in Hailsham and surroundings areas the local authority does not object to the proposed merger.

CAROLYN FAIR
Director of Children’s Services

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LOCAL MEMBERS

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