

Report to: Cabinet

Date of meeting: 19 July 2016

By: Director of Children's Services

Title: Proposed closure of Pells CE Primary School

Purpose: To consider the outcome of the public consultation in relation to the proposed closure of Pells CE Primary School and to seek approval to publish statutory notices to formally close the school with effect from 31 August 2017

RECOMMENDATIONS

Cabinet is recommended to approve the publication of statutory notices to close Pells CE Primary School by 31 August 2017.

1 Background

1.1 In October 2014 the Lead Member agreed that a review of primary schools should be undertaken in the Lewes area. This was in the context of the Council's principles for planning the provision of education places in East Sussex as set out in the *Education Commissioning Plan 2014 – 2018* and the Council's strategy for school improvement *Excellence for All*. The Local Authority has a duty to ensure there is sufficient provision to meet the predicted demand for places and to also look more widely at the organisation of schools to make sure they are well placed to deliver a high quality education to their local communities.

1.2 The Area Review raised significant concerns about the long term sustainability of Pells CE Primary School in terms of the risks to its financial stability, securing good outcomes for pupils and its ability to attract pupils from within its community area. For these reasons and having considered alternative options including federation, amalgamation and academisation, approval was sought from the Lead Member for Education and Inclusion, Special Educational Needs and Disability on 21 March 2016 to consult on a proposal to close Pells CE Primary School. The Lead Member agreed that the Children's Services Department (CSD) should consult on the closure of the school but instructed CSD to fully consider any proposals coming from the schools or from other consultees around federation or amalgamation which would lead to a sustainable solution.

1.3 The Diocese of Chichester shares the Council's concerns and agreed that the Local Authority should consult on closure of the school.

1.4 The consultation period commenced on 15 April 2016 and ran until 27 May 2016. A report on the consultation and the responses received is provided in **Appendix A**. Members must read and have regard to the full version of the consultation report with responses.

2 Supporting information

2.1 Pupil Numbers

2.1.1 Births in Lewes between 2003/04 (reception year intake 2008/09) and 2012/13 (reception year intake 2017/18) have fluctuated from a low of 156 in 2005/06 to a high of 201 in 2009/10. Since then, there has been a marked fall in the birth rate with numbers in 2013/14 (reception year intake 2018/19) at 137 and 2014/15 (reception year intake 2019/20) at 134.

2.1.2 Pells CE Primary School has suffered from very low parental preferences for many years as illustrated in the table below. Even at times of high demand for places in the town the school has been unpopular and unable to attract sufficient pupils.

	2012/13		2013/14		2014/15		2015/16		2016/17	
Published Admission Number (PAN)	1st Prefs	% 1st Prefs Above/ Below PAN	1st Prefs	% 1st Prefs Above/ Below PAN	1st Prefs	% 1st Prefs Above/ Below PAN	1st Prefs	% 1st Prefs Above/ Below PAN	1st Prefs	% 1st Prefs Above/ Below PAN
20	7	-65%	6	-70%	9	-55%	11	-45%	9	-55%

2.1.3 For 2016/17 only nine first preferences were received by the closing date for applications. This number reduced to four after parents were given the opportunity to re-submit their preferences. A late application was received for Pells so the school is likely to start September with five children in its reception year.

2.1.4 In the period 2001/02 to 2003/04 pupil numbers at the school were close to its capacity of 140. Over the last twelve years numbers have been on a downward trend – in the period 2004/05 to 2009/10 numbers were generally between 110 and 120 each year. Since 2010/11 numbers have been less than 100 and as low as 83 in 2013/14.

2.1.5 Over the last five academic years the percentage of primary age children living on the Landport Estate attending Pells CE Primary School has fallen from 34% (70 pupils) in January 2012 to only 23% (51 pupils) in January 2016. In contrast the percentage of children living on the Landport Estate attending other schools in Lewes has risen from 62% (127 pupils) in January 2012 to 74% (164 pupils) in January 2016.

2.1.6 The take up of reception year places from those who have attend the early years provider on site (Pippa's Group) is low and declining:

2012/13 - 4 out of 8 children (50%)

2013/14 - 5 out of 8 children (63%)

2014/15 - 8 out of 12 children (67%)

2015/16 - 6 out of 13 children (46%)

2.1.7 The latest set of pupil forecasts for Lewes, which take account of the proposed developments at North Street and Old Malling Farm indicate that primary reception year intakes will fall in the period to 2018/19 before rising again in the period to 2025/26. However even at its peak reception year intake numbers are expected to be below 200 in the town. Beyond 2025/26 the Council's demographic based forecasts indicate that reception year intakes will decline. This means that 200 reception year places in Lewes (assuming Pells CE Primary School closes in August 2017) will be sufficient to meet future demand for places. **Appendix B** sets out the Council's forecasting methodology and predictions for the Lewes area.

2.1.8 The Council's pupil forecasts are highly accurate with an accuracy of +0.5 to +0.1% over the last four years. The pupil forecasts take account of both the impact of new housing on future births, and the impact of school aged children moving into new housing. The Council has recently reviewed its pupil yield factors to check accuracy. The review indicated that that the Council's pupil yield produced marginally higher pupil yields than other models. The Council has therefore continued to use this model to ensure there is sufficient capacity without overprovision. The most recent example of the use of this forecasting model shows that the housing development in Hailsham produced less pupils than the Council's model estimated. Further detail on this is provided in **Appendix B**. There is no evidence to suggest that the pupil forecasts for Lewes are inaccurate, on experience to date the forecasts will identify more pupils than will actually result from the new housing.

2.1.8 There will be sufficient places available in other schools in Lewes in 2017/18 for children from Pells CE Primary School were it to close. There will be a very small pressure in Years 3 and 4 and this would be addressed through working with the other schools in the town. The Lewes Co-operative Trust has already indicated willingness for schools to exceed PAN if necessary to ensure every child has a place. In the highly unlikely event that there is a short term additional demand for places there is capacity at other schools in the town to provide one off bulge classes if required.

2.1.9 Asking schools to exceed PAN is a strategy adopted across the county where there is pressure on places but the level of demand does not justify the creation of bulge classes. Our forecasts indicate that this strategy would only need to be in place for a very short period of time until the larger cohorts in Years 3 and 4 leave the primary phase. It should be noted that there is no class size legislation in Key Stage 2 which limits class sizes to 30 pupils.

2.2 Leadership Capacity

2.2.1 Since January 2016 interim leadership arrangements have been in place and will continue until the end of the academic year. Recruiting headteachers in all schools, but particularly small schools is very challenging, both locally and nationally. The school will face an additional challenge in this respect as it is an underperforming school and it will have another Ofsted inspection within the next year. Recruitment activity across the county indicates that it will be very difficult, if not impossible, for Pells CE Primary to recruit to a headteacher vacancy.

2.2.2 There is no permanent leadership solution for the school. The interim leadership being provided by the Council and the Lewes Co-operative Learning Trust is in place until the end of this academic year. The interim leadership arrangements are not financially sustainable from the school's budget; the Council is currently funding these arrangements. The Lewes Co-operative Learning Trust has confirmed that they do not have the capacity to sustain longer term leadership for the school. If the decision is reached that the school will close the Trust would be prepared to provide further interim leadership, in the interests of the children at the school, during the period of closure. However these arrangements will not be available should the decision be made to keep the school open as this would require a different plan and increased leadership capacity to take the school through very challenging circumstances.

2.3 Performance

2.3.1 In September 2009 the school was judged to require 'Special Measures'. In January 2012 the school was removed from special measures due to improved leadership but with an inadequate judgement on outcomes and given a notice to improve. In February 2013 and February 2015 Ofsted judged the school to 'Requires Improvement'. The 2 year period for the school's journey to good ends in February 2017 and the in-year data suggests that outcomes will remain low this year with insufficient improvement in both progress and outcomes to lift the school successfully beyond a requires improvement judgement. The recently received provisional outcomes data for key stage 2 for this year shows that only 33% (4 out of 12 pupils) achieved the expected standard in reading, writing, maths combined, significantly below the East Sussex average of 51.1%. All of this means that it is very unlikely that the school will be judged good at the next inspection. As the school has been judged 'Requires Improvement' twice in a row, it is very likely that Ofsted will place the school in a category of concern as the pace of improvement has not been swift enough over a number of years to address significant pupil underachievement.

2.3.2 The school has received significant support from the Council and the Diocese but despite this the school continues to face challenges in achieving an Ofsted judgement as a good school. This has been confirmed by the interim leadership who have identified significant areas of underperformance. Council monitoring arrangements confirm this view noting that many targets remain unmet or only partially met, and the recent key stage 2 results for this year provide further evidence that the school is underperforming. Despite the considerable efforts of the school, the Council and the Diocese it has not been possible to break the long term cycle of underperformance.

2.3.3 The Council has a duty to ensure all pupils receive a good standard of education. It is a matter of serious concern that the provision for the pupils at Pells CE Primary School does not enable them to make expected levels of progress by the time they leave Year 6. Children who start at a similar level in other schools make better progress. The attainment of pupils in Year 6 has been significantly below the national average in three of the last four years, and is significantly below again this year. Pells CE Primary School is not delivering the level of ambition that we have for the children of this county.

2.4 Petition

2.4.1 During the consultation period a 5,000+ signature petition in relation to the proposed closures of both Rodmell CE Primary School and Pells CE Primary was submitted to the Local Authority. The petition is available for members to view.

2.4.2 The petition was presented at Full Council on 10 May 2016 where the following motion was moved.

In view of the increasing need for Primary School places in and around Lewes in the next five years, the strength of public feeling shown by a petition of over 5,000 signatories and the emerging plans for the future at both Rodmell School and Pells School, the Council recommends to Cabinet that the process towards the closure of these two schools is halted at the end of the consultation to enable these plans to be put into place.

2.4.3 A recorded vote on the motion was requested and taken. The motion was carried, the votes being cast as follows - 28 for the motion and 20 against the motion. In accordance with the Lead Member decision and the resolution of the Council we have sought to look at possible alternative options and to engage with stakeholders to consider any emerging plans that are put forward.

2.5 Alternative options

2.5.1 The Council has been actively promoting federation with schools since November 2014 and has, along with the Diocese, spent a considerable amount of time exploring options for Pells CE Primary School. No Academy Trust has expressed an interest in taking the school into their Trust; the long term underperformance, low parental preferences and low pupil numbers means that it is very unlikely to be attractive to an Academy Trust.

2.5.2 Whilst the Lewes Co-operative Learning Trust have a commitment to improve the outcomes of all pupils in the town and is providing interim leadership, the Trust and other schools are not willing to federate or amalgamate with Pells CE Primary School. It is unlikely that federation would improve the popularity of the school anyway. No other school has room to accommodate all the pupils from Pells CE Primary School on their own site – a split site school has been considered but would create difficult challenges for the school and parents to manage, and in any event, no school has shown an appetite for that model.

2.5.3 The Council has a role in supporting schools to explore federation but it is not responsible for securing those partnerships. Federation is a decision made by the governing bodies of schools and the local authority can only direct governing bodies to federate in exceptional circumstances i.e. when it has been identified as causing concern and is eligible for formal action.

2.5.4 The Council did not receive any proposals for the future of the school during the consultation process and no firm proposals were shared with the school leadership or governing body. On 23 May 2016 the Chair of Governors confirmed in a telephone conversation with the Assistant Director: Education and ISEND that the governing body were not bringing forward a solution and that no groups had discussed any potential solutions with her regarding the future of the school.

2.5.5 Following a meeting between the Director of Children's Services, the Assistant Director: Education and ISEND and Councillor Ruth O'Keeffe on Friday 24 June 2016, a proposal was submitted on 29 June 2016 by Councillor O'Keeffe for a 'Farm School Approach' for Pells CE Primary School. This proposal was not shared with the school during the consultation period but has since been sent to the Chair of Governors. As requested by the Lead Member this proposal has been fully evaluated by officers who have assessed that the proposal does not address the key challenges that the school faces, it has not been costed by the proposer and will not lead to the rapid improvement required at the school. The proposal and evaluation are provided in **Appendix C**. The Chair of Governors has reviewed the plan and does not feel that it offers a sustainable way forward for the school in light of the significant challenges the school is facing.

2.5.6 The proposal has been costed by officers and is found to be unaffordable. The Farm school would cost at least £100K to set up, and cost £50K each year to cover running costs.

In addition setting up a Farm School would require planning permission for change of use and constructing any necessary buildings. This process would take at least 6 months and would cost in the region of £20K. Any loss of playing field space would also require Secretary of State permission. The proposal does not offer a financially viable solution for the school.

2.5.7 Though much has been made of the local community support for the school, this is not supported by the data in 2.1.5 which show that the majority of families living on the Landport Estate, have not chosen, and do not choose to send their children to the school, and that the popularity of the school continues to decline. There is no evidence that the Farm School proposal would increase the popularity of the school.

2.5.8 The imminent Ofsted inspection, which in light of the key stage 2 results this year we would now expect early next academic year, is likely to judge the school to be inadequate and this does not allow time for any further exploration of options for this school.

2.6 Equality Impact Assessment

2.6.1 Members are required to have 'due regard' to the duties set out in Section 149 of the Equality Act 2010 ('the PSED') in determining this proposal. An Equality Impact Assessment (EqIA) has been prepared in order to analyse the equality implications of this proposal and to identify any appropriate mitigations. The EqIA is appended to the Consultation Report. Members must read the EqIA and take its findings into consideration when determining these proposals.

2.7 Scrutiny Committee

2.7.1 At the recommendation of CMT, Scrutiny Committee considered the report on Pells CE Primary School at an additional meeting on Monday 4 July 2016. A summary of the Committee's discussion and responses to the proposal is included in **Appendix E**.

3. Conclusion and reasons for recommendations

3.1 In conclusion, parents and pupils, staff, the governing body and the local community are generally against the proposed closure of the school, although a small number of respondents understand the reasons for the Council proposing closure.

3.2 At Full Council it was resolved that the process for closure be halted while emerging plans are put in place. However, the Council remains extremely concerned about this vulnerable school, does not believe that a viable option to closure has been presented and that children will achieve better outcomes if they attend other schools.

3.2 For the reasons set out in this report Cabinet is recommended to:

Approve the publication of statutory notices to close Pells CE Primary School by 31 August 2017.

3.3 Notices would be published in the local newspaper, on the Council website and posted on the gates of the school in August 2016. Publication would trigger a four week period of representation when interested parties have another opportunity to comment on or object to the proposals. Cabinet would be required to make a final decision on the proposal with two months of the end of the representation period, most likely in November 2016.

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LOCAL MEMBERS

Councillor Ruth O'Keefe

APPENDICES

- Appendix A Consultation Report
- Appendix B Pupil Forecasting and School Places
- Appendix C Proposal and Evaluation
- Appendix D Equality Impact Assessment
- Appendix E Summary of Scrutiny Committee

BACKGROUND DOCUMENTS

Lead Member Report and Minute of 21 March 2016