

Report of the Cabinet Member for Education, Children and Young People

## **The Future of Derwent Schools Federation and Osbaldwick Primary School**

### **Summary**

1. At the meeting on 27 February 2013, the Cabinet Member for Education, Children and Young People considered the details of the responses to the public consultation concerning the proposal to close Derwent Infant and Junior Schools and to expand Osbaldwick Primary.
2. The 27 February 2013 report set out the arguments for and against closing Derwent Infant and Junior Schools and expanding Osbaldwick Primary, particularly in light of the recurring low parental demand for places at Derwent Schools and the high level and anticipated demand for places at Osbaldwick Primary.
3. Taking all of the issues into account, the Cabinet Member agreed to publish Public Notices, in accordance with legislation, proposing a closure of Derwent Infant and Junior Schools and an expansion of Osbaldwick Primary. A six-week statutory representation period followed the publication of notices which closed on 16 April 2013.
4. The representation period is the final opportunity for people and organisations to express their views about the proposals, and these must be taken into account by the decision maker – which in this case is Cabinet. In fact, on this occasion, the local authority (LA) did not receive any further representations during the six-week period that followed publication of the statutory notices.
5. The report summarises other developments since the 27 February 2013 report that are relevant to the proposal. This includes an update on staffing and financial issues, pupil places and arrangements to ensure the best possible quality of education for all pupils.

## **Background**

6. The report to Cabinet on 27 February 2013 set out in detail the background to this matter, and the reasons for proposing the closure of Derwent Schools and expanding Osbaldwick Primary. The report described the financial and educational implications of expanding Osbaldwick Primary concentrating on the need to ensure there is an excellent quality of education in the local community.

### **Responses received during the Initial Public Consultation Period**

7. The public consultation period was carried out between 10 December 2012 and 15 February 2013. During this period, the LA, the schools and their governing bodies consulted broadly in order to engage parents, pupils and the community. This consisted of the publication and distribution of a consultation document, a parent's evening, site visits to each school, a detailed Frequently Asked Questions document and a public consultation event held at both schools. Forty questionnaires were completed at the site visits, and six emailed responses were received during the period of consultation.
8. All of the responses received were set out in annexes which accompanied the February report.

### **Responses received during the Statutory Representation Period**

9. Following publication of the statutory notification on 6 March 2013, the LA received no further submissions during the 6-week statutory representation period.

### **Developmental Improvements**

10. A number of physical improvements are proposed for the Derwent site. These include improving the appearance of the front of the site; where required, painting external doors and fencing in school colours, and increasing cycle storage facilities.
11. Within the new Osbaldwick School there will also be maintained nursery provision in order to ensure there are sufficient high quality

early education places for three and four year olds available to meet local demand.

12. One parent governor at Derwent has joined the Osbaldwick governing body and opportunities for other governors to join are being considered.

## **Analysis**

14. The LA must have regard to guidance issued by the Secretary of State when taking a decision on closure and expansion proposals. These are 'Closing a Mainstream School: A Guide for Local Authorities' and 'Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form'. Both of these documents are guides for LAs and governing bodies.
15. Both documents state that, "All proposals should be considered on their individual merits". Each guide sets out various factors that should be considered by decision makers (Cabinet) in making their decision. The relevant factors are summarised below.

### **A - Effect on Standards and School Improvement**

16. Both guides state that schools that need to be closed "are closed quickly and replaced by new ones where necessary; and the best schools are able to expand and spread their ethos and success".
17. The guidance states that "The government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes". The LA believe that closing Derwent Schools and expanding Osbaldwick Primary across two sites under one headteacher and one governing body will provide a high quality of educational provision for the local community whilst retaining excellent facilities and providing better value for money than the existing arrangements.
18. The guidance also states that "It is important that education is provided as cost effectively as possible. Empty places can represent a poor use of resources - resources that can often be used more effectively to support schools in raising standards. The Secretary of State wishes to encourage LAs to organise provision

in order to ensure that places are located where parents want them. LAs should take action to remove empty places at schools that are unpopular with parents and which do little to raise standards or improve choice". With the highest surplus places across the city, Derwent Schools' declining pupil numbers means that the cost of education per pupil is particularly high.

## **B - Need for Places**

19. Guidance advises that "The government is committed to ensuring that every parent can choose an excellent school for their child. It is for the decision maker to decide whether a school is successful and popular, however, the following indicators **should** all be taken into account: a) the school's performance, and b) the numbers of applications for places".
20. The guidance is specific in defining spare places stating that "the decision maker (Cabinet) should normally approve proposals to close schools in order to remove surplus places where the school proposed for closure has a quarter or more places unfilled, and at least 30 surplus places, and where standards are low compared to standards across the LA".
21. At the time of the October census 2012, Derwent Infant and Junior had 100 pupils, and 110 surplus places (51%). The most recent primary admission data (for September 2013) shows only nine parents chose Derwent Schools out of a possible published admission number of 30. In September 2013, using current data, the total number of pupils on roll will have reduced from 100 to 95.
22. In 2010, both Derwent and Osbaldwick were inspected by Ofsted. Derwent was judged overall as being 'satisfactory'. Osbaldwick was considered by Ofsted to be a 'good school with outstanding outcomes'.
23. An expanded Osbaldwick Primary would change from being one form of entry to two forms of entry providing up to 60 places per year group. This will mean the school should be able to meet the anticipated local demand for primary places in the foreseeable future given current patterns of parental preference.
24. Minor changes to the catchment area of Tang Hall Primary School and the existing Derwent catchment area are proposed in order to

balance the available school places within local catchment areas. This change would mean Tang Hall Primary School would include the area north of Tang Hall Beck and west of Tang Hall Lane in its catchment area for admissions for Reception age entry from September 2014. This catchment area change will also cover applications across the other year groups for those requesting school places from September 2013.

### **C - Impact on the Community and Travel**

25. The guidance notes that “some schools may already be a focal point for family and community activity, providing extended services for a range of users, and its closure may have wider social ramifications. In considering proposals for the closure of such schools, the effect on families and the community should be considered. Where the school was providing access to extended services some provision should be made for the pupils and their families to access similar services through their new schools or other means”. The guidance also notes that when considering proposals to close a school the Cabinet should consider the impact of the proposals on community cohesion and take into account the nature of alternative provision.
26. The February Cabinet report described the community facilities provided across both sites. These included sports provision, comprising a floodlit Multi Use Games Area (MUGA) with a separate block for showers and changing; early year’s provision, including the maintained nursery and out of school clubs, and Children’s Centre and Integrated Family Service provision. It is anticipated that these services will all continue operating to the same standard if the proposals are agreed.
27. The February report also described the expected movement of people between the two sites. To allow parents/carers to drop off and pick up children between the two sites, there would be staggered start and finish times. During the school day, children would be supervised and escorted when walking between the two sites to access facilities such as the MUGA, or to use either of the halls for activities. The after-school club would be operated from one site and children on the other site would be escorted, as happens at present. Most activities would therefore take place at each child’s base site, meaning children would finish the day at the same site as they started at.

## **D - Special Educational Needs (SEN) Provision**

28. The guidance states that “SEN provision, in the context of school organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs”. Although Derwent and Osbaldwick Schools do not include specific SEN provision as covered by this guidance, the LA will continue to ensure that high quality teaching and support arrangements will be provided appropriate to individual children’s needs.

## **Implications**

### **Financial Implications**

29. With the highest amount of surplus spaces in the city at 51%, the continuing low demand for places at Derwent has led to an unsustainable cost of educational provision. The cost of provision of education per pupil at Derwent is almost double that of other schools. The LA is fully aware of the pressures on school budgets and the importance of providing the best value for money possible.
30. If a decision is taken to close the Derwent schools, the governing body of the expanded Osbaldwick Primary will be allocated a budget calculated in accordance with the local funding formula regulations agreed by the York Education Partnership. This will include transition funding in order to support the expanded school as it becomes established.

### **HR Implications**

31. The proposal to close Derwent Schools with effect from 31 August 2013 means that up to 24 staff employed at the school on that date could become redundant by reason of the closure. Formal consultation on these potential redundancies with staff, their trade unions and professional associations has been undertaken in recent months and is now concluded. Notice of any such redundancies will need to be served by 31 May 2013 at the latest.
32. In order to mitigate compulsory redundancies as a result of the closure, it is expected that there will be a small number of volunteers for redundancy from both teaching and support staff;

and the remaining staff will be encouraged to apply for ring fenced vacancies in the expanded Osbaldwick Primary school structure.

33. Consultation has now concluded on the proposed revised staffing structure for an expanded Osbaldwick Primary school and, if the closure is agreed, arrangements will be made for recruitment to the vacancies to proceed as soon as possible.
34. Staff who have not volunteered for redundancy or found redeployment in Osbaldwick Primary school or elsewhere by 1<sup>st</sup> September 2013 will receive a redundancy payment in line with the City of York Council's scheme.

### **Other Implications**

36. The statutory published admission number for Osbaldwick Primary will be increased to 60 for September 2013. There are no other specific equalities, legal, crime and disorder, information technology, or property implications. All admissions will be processed under fair access protocols.

### **Council Plan**

35. The provision of primary education is a key responsibility of the Council, which is recognised as a high performing authority in this regard. Successful educational outcomes for young people from all of our communities contribute significantly to the delivery of the Council's priorities. The interests of children and young people have been the key consideration in this issue.

### **Risk Management**

37. If Derwent Schools is to close and Osbaldwick Primary school is to expand, a managed process will be put in by the governing bodies, supported by local authority officers. The expanded school will be ready to operate across the two sites in September 2013.

## Conclusions

38. The LA has a responsibility to ensure an appropriate balance between supply and demand of school places so that resources are used effectively and to boost standards and opportunities. Increasing financial pressures on LAs mean that difficult decisions have to be made to balance their budgets and to ensure value for money.
39. Following the publication of statutory closure notices on 6 March 2013, no further responses have been received concerning the proposals. School leaders have continued to talk with parents as discussions have arisen and a parents' group will be set up to help the transition to new arrangements.

## Recommendations

40. Cabinet is recommended to:
  - i. agree to close Derwent Infant and Junior Schools from 31 August 2013
  - ii. agree to operate an expanded Osbaldwick Primary School from 1 September 2013
  - iii. agree to the minor changes to the catchment area of Tang Hall Primary School and the existing Derwent catchment area in order to balance the available school places from September 2013
  - iv. approve an increase in Planned Admission Numbers (PAN) to Osbaldwick Primary from September 2013

*Reason:* The primary education of children will be best served by expanding Osbaldwick Primary, building on the strong leadership and governance already available in the local education community and using the excellent facilities available at Derwent Schools.



## Contact Details

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## Annexes

None