

REPORT TO: CABINET MEMBER, CHILDRENS SERVICES

DATE: 13 JULY 2010

SUBJECT: DETERMINATION OF THE PROPOSAL FOR THE CLOSURE OF ST GEORGE OF ENGLAND HIGH SCHOOL

WARDS AFFECTED: NETHERTON & ORRELL, DERBY, LITHERLAND, FORD & ST OSWALD'S WARDS

REPORT OF: PETER MORGAN
STRATEGIC DIRECTOR - CHILDREN, SCHOOLS & FAMILIES

CONTACT OFFICER: CHRIS DALZIEL (0151 934 3337)

**EXEMPT/
CONFIDENTIAL:** NO

PURPOSE/SUMMARY:

The purpose of this report is to seek a determination on the proposal for the closure of St George of England High School.

REASON WHY DECISION REQUIRED:

The Cabinet Member, Children, Schools & Families, is delegated as the Decision Maker to determine the proposal for the closure of St George of England High School.

RECOMMENDATION(S):

The Cabinet Member, Children, Schools & Families, is recommended to approve the proposal for the closure of St George of England High School with effect from 31 August 2013.

KEY DECISION: Yes.

FORWARD PLAN: 16 June 2010.

IMPLEMENTATION DATE: Following the expiry of the "call-in" period for the Minutes of the Cabinet Member meeting.

ALTERNATIVE OPTIONS:

Not appropriate.

IMPLICATIONS:

Budget/Policy Framework: None.

Financial:

St George of England High School is funded through the Dedicated Schools Grant (DSG) and other specific government grants. Closure of the school would result in the subsequent redistribution of the DSG to other schools (broadly reflecting the transfer of pupils to those schools). The specific grants for St George of England would no longer be paid, but additional grant might be directed to those schools receiving former St George of England pupils.

Where there is no direct successor to the closing school, as would be the case here, the Local Authority can seek approval from the Schools Forum to retain the unused part of the DSG funded budget for the year of closure - amounting to 7/12 of the annual budget when the school closes in August. If agreed by the Forum, this would provide a one-off budget to contribute to any costs associated with the closure. However in future years savings within DSG from closure of school would be redistributed through Individual Schools Budget (ISB) to other secondary schools or to support commitments in the Retained Schools Budget (RSB).

Any accumulative balances that St George of England has at the time of closure, whether positive or negative would be transferred to the Local Authority. Officers are working closely with the school to mitigate the financial risk to Local Authority of any closing deficit balances.

<u>CAPITAL EXPENDITURE</u>	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £	2013/ 2014 £
Gross Increase in Capital Expenditure				
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton Funded Resources				
Funded from External Resources				
Does the External Funding have an expiry date? Y/N	When?			
How will the service be funded post expiry?				

Legal: The statutory process for the closure of St George of England High School has been carried out in accordance with current legislation.

Risk Assessment: There are no risks associated with this report.

Asset Management: If the proposal to close St George of England High School is agreed then the site will be transferred to the corporate portfolio and future use of the building or demolition will be considered.

CONSULTATION UNDERTAKEN/VIEWS

All statutory consultation has taken place as required.

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Creating Safe Communities		✓	
3	Jobs and Prosperity		✓	
4	Improving Health and Well-Being		✓	
5	Environmental Sustainability		✓	
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy		✓	
8	Children and Young People		✓	

LINKS TO ENSURING INTEGRATION:

Not appropriate.

IMPACT UPON CHILDREN, SCHOOLS & FAMILIES TARGETS AND PRIORITIES:

Not appropriate.

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

Report to Overview & Scrutiny and Cabinet Member, Children's Services, 20/27 October 2009.
Building Schools for the Future: Statutory Consultation.

Report to Overview & Scrutiny and Cabinet Member, Children, Schools & Families, 16/23 March
2010. Outcome of the Consultation.

Closing a Maintained School: A Guide for Local Authorities & Governing Bodies (DfES publication).

DETERMINATION OF THE PROPOSAL FOR THE CLOSURE OF ST GEORGE OF ENGLAND HIGH SCHOOL

1. Background

- 1.1 Members will recall that approval was given on 23 March 2010 to publish a statutory notice for the closure of St George of England High School. The notice was published in the Bootle Times, in accordance with current legislation, on 15 April 2010 and this was followed immediately by a six-week representation period which ended on 27 May 2010.

2. Representations Relating to the Proposal

- 2.1 During the representation period the statutory notice was also displayed outside the school, in local libraries and on the Sefton website. No representations have been received during this six-week period.

3. The Decision Making Process

- 3.1 The Cabinet Member, Children's Services is the Decision Maker for the proposal which must be determined by the Local Authority. The Decision Maker must consider the 4 key issues below before considering the respective factors and merits of the proposal.

- ❖ Is any information missing?
All necessary information is included in this report.
- ❖ Does the published notice comply with statutory requirements?
The published notice has been approved by the DCSF and officers from Sefton's Legal Team and is attached at Annex A.
- ❖ Has the statutory consultation been carried out prior to publication?
This consultation process was reported to Cabinet Member on 23 March 2010.
- ❖ Are the proposals related to other published proposals?
The proposals for closure of St George of England High School are not related to any other published proposals.

- 3.2 The Decision Maker is required by legislation to have regard to the Statutory Guidance – Factors to be Considered by the Decision Makers, the relevant sections of which are appended at Annex B. These are summarised and commented on below.

4. Factors to be Considered by the Decision Maker

4.1 A System Shaped by Parents

The Decision Maker should take into account the extent to which the proposal is consistent with the new duties on Local Authorities to secure diversity in the provision of schools and to increase opportunities for parental choice. The proposal is consistent with these duties as the school has become less popular in recent years as the birth rate has fallen and parents have chosen to send their children elsewhere. The proposal is part of the Building Schools for the Future (BSF) phase 1 schemes for South Sefton and it is anticipated that pupils will be accommodated mainly in Hillside High School but that places will also be available at Litherland High School.

4.2 Standards

The standards at St George of England High School are summarised in Table 1 together with those at neighbouring schools. Pupils can access an alternative school place at a

school with comparable standards.

Table 1

	The % of pupils achieving 5 or more grades A* - C including English and Maths at GCSE	
	2008	2009
St George of England High School	29%	26%
Hillside High School	47%	46%
Litherland High School	23%	44%
Sefton average	51.4%	53.2%
England (maintained schools only)	47.6%	50.7%

4.3 Diversity and Balance of Denominational Provision

The proposal will have little effect on local diversity or the balance of denominational provision as a second BSF proposal is for the establishment of an Academy from the amalgamation of Savio Salesian College and St Wilfrid's Catholic High School.

4.4 Every Child Matters

The displaced pupils will continue to have access at their new school to extended services, opportunities for personal development, measures to address barriers to participation and support for children with particular needs.

4.5 The Need for Places

All parents will have access to an alternative school place for their child at Hillside High School if St George of England High School closes in August 2013. If necessary, temporary accommodation will be provided in the short term to ensure that all pupils will be accommodated. Places will also be available at Litherland High School which will reopen in the new building in Spring 2011. Admission arrangements for feeder primary schools (Thomas Gray, Springwell Park and Linaker Primary Schools) will be realigned with Hillside High School to ensure that pupils in future years can access their associated high school. St George of England High School had 350 surplus places (45.72%) in July 2009. The Decision Maker should normally approve proposals to close schools in order to remove surplus places where at least 25% of places are unfilled and where standards are low compared to standards across the authority.

4.6 Effect on the Community and Travel

All children will access an alternative school place in accordance with parental preference and many will remain within a nearby community and the proposals will have little effect on community cohesion. Extended services, similar to those available at St George of England High School, are available at other local schools. The proposal will not unreasonably extend journey times or increase travel costs or result in fewer children travelling sustainably due to unsuitable routes for walking and cycling.

4.7 Equal Opportunity Issues

There are no sex, race or disability discrimination issues arising from the proposals.

4.8 14-19 Curriculum and Collaboration

Transition arrangements will be put in place to ensure continuity of curriculum provision for pupils transferring from St George of England High School to Hillside High School in September 2013. This will include both GCSE and Diploma courses and the existing collaborative arrangements between schools and colleges in the South of the Borough will continue.

4.9 SEN Provision

Pupils who currently receive additional Special Educational Needs support at St George of England High School will continue to access this support on transfer to an alternative school.

4.10 **Views of Interested Parties**

No comments have been received during the representation period.

5. Determination of the Proposal

5.1 Having considered the factors in Section 4 of this report, the Cabinet Member, Children, Schools & Families, is recommended to approve the proposal to close St George of England High School with effect from 31 August 2013.

The main considerations are:-

- ❖ Part of the wider BSF Phase 1 proposals;
- ❖ Falling pupil numbers leading to financial constraints with less funding available to support each pupil;
- ❖ Standards lower than other local schools.

6. Recommendation(s)

6.1 The Cabinet Member, Children, Schools & Families, is recommended to approve the proposal for the closure of St George of England High School with effect from 31 August 2013.

St George of England High School, Fernhill Road, Bootle

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006 that Sefton Council, Children, Schools and Families, 9th Floor Merton House, Stanley Road, Bootle L20 3JA intends to discontinue St George of England High School, Fernhill Road, Bootle L20 6AQ on 31 August 2013.

Pupils remaining in St George of England in August 2013 will be guaranteed a place at Hillside High School although places may be available at other local schools, in particular the new build Litherland High School.

Proposed transport arrangements for displaced pupils are in line with the Authority's transport policy. Pupils who are eligible for assistance with transport costs will normally be offered a public transport travel pass which will help to work against increased car use.

This proposal is part of a wider reorganisation of secondary education in Sefton which will coincide with the Building Schools for the Future (BSF) programme. This is a national programme to transform teaching and learning and to rebuild or refurbish secondary schools in order to facilitate this transformation over the next 10 years. Sefton is already rebuilding Litherland High School for completion in Spring 2011 and other proposals for South Sefton are: the refurbishment of Hillside High School with some new build; the replacement of Savio Salesian College and St Wilfrid's Catholic High Schools with a new build school, possibly an Academy and the rebuild of the Key Stage 4 Pupil Referral Unit.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from: School Organisation and Capital Programme Team, Children, Schools and Families, Town Hall, Oriel Road, Bootle L20 7AE. Telephone 0151 934 3427 or at www.sefton.gov.uk/stgeorgeofengland

Within six weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to the School Organisation Manager, Children, Schools and Families, Sefton Council, Town Hall, Oriel Road, Bootle L20 7AE.

Signed: M Carney, Chief Executive and Authorised Officer of Sefton Metropolitan Borough Council

Publication Date: 15 April 2010

department for
children, schools and families

Closing a Maintained Mainstream School

A Guide for Local Authorities and Governing Bodies

For further information:

School Organisation Unit
DCSF
Mowden Hall
Darlington
DL3 9BG

Tel: 01325 391274

Email: school.organisation@dcsf.gsi.gov.uk

Website: www.dcsf.gov.uk/schoolorg

Statutory Guidance – Factors to be Considered by Decision Makers

4.15 Paragraphs 8(6) and 17 of Schedule 2 to the EIA 2006 provides that both the LA and schools adjudicator are required to have regard to guidance issued by the Secretary of State when they take a decision on proposals. Paragraphs 4.16 to 4.62 below contain the statutory guidance on considering proposals for school closure.

4.16 The following factors should not be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals should be considered on their individual merits.

EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT

A System Shaped by Parents

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper *Higher Standards, Better Schools For All*, is to create a school system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary;
- the best schools are able to expand and spread their ethos and success; and
- new providers have the opportunity to share their energy and talents by establishing new schools - whether as voluntary schools, Trust schools or Academies - and forming Trusts for existing schools.

4.18 The EIA 2006 amends the Education Act 1996 to place new duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific **duty** to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker should take into account the extent to which the proposals are consistent with the new duties on LAs.

Standards

4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, while matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers should be satisfied that proposals for a school closure will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They should pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

4.21 Decision Makers should be satisfied that when proposals lead to children being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.55 to 4.61).

4.22 Where a school is to be closed so that it may be amalgamated with a more successful and/or popular school, the Decision Maker should again normally approve these proposals, subject to evidence being provided by the LA and other interests that the development will have a positive impact on standards.

Diversity

4.28 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school develops its own ethos, sense of mission and a centre of excellence or specialist provision.

4.29 Decision Makers should consider how proposals will impact on local diversity. They should consider the range of schools in the relevant area of the LA and how they will ultimately impact on the aspirations of parents and help raise local standards and narrow attainment gaps.

Balance of Denominational Provision

4.30 In deciding proposals to close a school with a religious character, the Decision Maker should consider the effect that this will have on the balance of denominational provision in the area.

4.31 The Decision Maker should not normally approve the closure of a school with a religious character where the proposal would result in a reduction in the proportion of denominational places in the area. This guidance does not however apply in cases where the school concerned is severely under-subscribed, standards have been consistently low or where an infant and junior school (at least one of which has a religious character) are to be replaced by a new all-through primary school with the same religious character on the site of one or more of the predecessor schools.

Every Child Matters

4.32 The Decision Maker should consider how the proposals will help every child and young person achieve their potential in accordance with Every Child Matters' principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society and achieve economic well-being. This should include considering how displaced pupils will continue to have access to extended services, opportunities for personal development, access to academic and vocational training, measures to address barriers to participation and support for children and young people with particular needs e.g. looked after children or children with special educational needs (SEN) and disabilities.

NEED FOR PLACES

Provision for Displaced Pupils

4.33 The Decision Maker should be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall supply and likely future demand for places. The Decision Maker should consider the quality and popularity with parents of the schools in which spare capacity exists and any evidence of parents' aspirations for those schools.

Surplus Places

4.34 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. The removal of surplus places should always support the core agenda of raising standards and respect parents' wishes by seeking to match school places with parental choices.

4.35 The Decision Maker 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. The Decision Maker should consider all other proposals to close schools in order to remove surplus places carefully. Where the rationale for the closure of a school is based on the removal of surplus places, standards at the school(s) in question should be taken into account, as well as geographical and

social factors, such as population sparsity in rural areas, and the effect on any community use of the premises.

IMPACT ON THE COMMUNITY AND TRAVEL

Impact on Community

4.36 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.

4.37 The information presented by those bringing forward proposals to close such schools, particularly when they are in receipt of funding as part of regeneration activity, should therefore include evidence that options for maintaining access to extended services in the area have been addressed. The views of other relevant agencies and partnerships with responsibility for community and family services should be taken into account, alongside those of the local police, Government Offices and Regional Development Agencies having responsibility for the New Deal for Communities.

Community Cohesion and Race Equality

4.38 When considering proposals to close a school the Decision Maker should consider the impact of the proposals on community cohesion. This will need to be considered on a case by case basis, taking account of the community served by the school and the views of different sections within the community. In considering the impact of the proposals on community cohesion the Decision Maker will need to take account of the nature of the alternative provision to be made for pupils displaced by the closure and the effects of any other changes to the provision of schools in the area.

Travel and Accessibility for All

4.39 In considering proposals for the reorganisation of schools, Decision Makers should satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes should not adversely impact on disadvantaged groups.

4.40 In deciding statutory proposals, the Decision Maker should bear in mind that proposals should not have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance ref 00373 – 2007BKT-EN at www.teachernet.gov.uk/publications. Proposals should also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Equal Opportunity Issues

4.41 The Decision Maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example, that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflects the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

SPECIFIC AGE PROVISION ISSUES

14-19 Curriculum and Collaboration

4.50 The Government has ambitious plans to increase post-16 participation rates and improve the skills of learners. The foundation for making progress is a transformed, coherent 14-19 phase offering a rich mix of learning opportunities from which young people can choose tailored programmes and gain qualifications appropriate to their aptitudes, needs and aspirations. This will be achieved by better collaboration between local providers, including schools, colleges, training providers and employers. Decision Makers should therefore consider what measures are being proposed to ensure that opportunities available to students in this age group are not reduced by the school closure, although the absence of such measures should not prevent the closure of a poorly-performing school.

SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION

Initial Considerations

4.55 When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change, LAs should aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability.

OTHER ISSUES

Views of interested parties

4.62 The Decision Maker should consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker should not simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker should give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.