

Report to:	Cabinet	Date of Meeting:	Friday 3 July 2015
Subject:	St Ambrose Barlow Catholic High School - : Approval to consult on the closure of the school	Wards Affected:	St Oswalds and neighbouring wards where St Ambrose Barlow pupils reside
Report of:	Director of Young People and Families		
Is this a Key Decision?	Yes	Is it included in the Forward Plan?	No
Exempt/Confidential	No		

Purpose/Summary

The purpose of this report is to provide background information relating to St Ambrose Barlow Catholic High School and to seek approval for the commencement of the statutory consultation process relating to the proposal to close the school.

Recommendation(s)

Cabinet is recommended to:

- 1) Note the request from St Ambrose Barlow's Governing Body to close the school because they are no longer financially viable due to falling pupil rolls.
- 2) Note the statutory process outlined in the report for the closure of the school:
- 3) Approve the commencement of the statutory consultation process relating to the proposal to close St Ambrose Barlow Catholic High School with effect from 31 August 2016.
- 4) Note that the proposal was a Key Decision but had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Children's Services and Safeguarding) had been consulted under Rule 27 of the Access to Information Procedure Rules of the Constitution, to the decision being made by Cabinet as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because the consultation should commence before the end of term.
- 5) Note that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Children's Services and Safeguarding) had given her consent under Rule 46 of the Overview and Scrutiny Procedure Rules for this decision) to be treated as urgent and not subject to "call in" on the basis that it/they cannot be reasonably deferred because the consultation should commence before the end of term.

How does the decision contribute to the Council’s Corporate Objectives?

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

Reasons for the Recommendation:

The local authority has the statutory power to close a maintained school following the statutory process detailed in the report

What will it cost and how will it be financed?

(A) Revenue Costs

There are no costs arising out of this report and it is anticipated that any costs associated with closure of St Ambrose Barlow High School will be ultimately contained within the DSG or from the Council’s Closed Schools Reserve Account

(B) Capital Costs N/A

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal: The consultation on the proposal to close the school will be carried out in accordance with the requirements of the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013.	
Human Resources: As part of the consultation process there will be meetings held with staff in the school	
Equality	
1. No Equality Implication	<input type="checkbox"/>
2. Equality Implications identified and mitigated	<input checked="" type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact of the Proposals on Service Delivery:

N/A

What consultations have taken place on the proposals and when?

The Head of Corporate Finance & ICT has been consulted and comments are below (FD 3651/15).

Should a decision to close St Ambrose Barlow be delayed, the risk to the school of going into a significant deficit from 2016/17, and beyond, would be greatly increased. The position shown in the table at paragraph 3.2 below is based on current expectations and is containable within the finite resources available to support any closure.

However, from the moment a decision is made to consult on the closure of the school, there is always a risk, that parents may choose to withdraw their children in advance of any agreement to a planned and structured closure. This, in turn, would have a direct and detrimental impact on the level of DSG funding to the school in its final year of operation. The School Funding Formula is predominately pupil driven and each pupil on St Ambrose Barlow school roll is currently funded at approximately £5,350.

Staffing levels in school could also be at risk, as staff look for alternative employment / certainty of tenure. This may in turn lead to an inability of the school to be able to offer an adequate curriculum in the final year. The situation, therefore, is very fluid and will need careful monitoring to ensure appropriate assistance is put in place and to ensure the pupils and staff who are still in school are supported through the final year.

Head of Corporate Legal Services has been consulted and comments have been incorporated into the report (LD 2944/15).

Are there any other options available for consideration?

There are no alternative viable options.

Implementation Date for the Decision

Immediately following the call in period for the minutes of this meeting.

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Background Papers:

None

1. Background

- 1.1 St Ambrose Barlow has suffered from falling pupil numbers for a number of years. The school has a capacity of 600 pupils but currently only has 384 on roll (May 2015 census).
- 2.1 Governing Bodies have a duty to set a balanced budget each year and the Governing Body of St Ambrose Barlow has worked very hard over the last few years to reduce costs and set a balanced budget. This has been against a backdrop of funding freeze, falling pupil numbers and increasing cost.
- 2.2 The Governing Body of St Ambrose Barlow met on 29 June 2015 to consider the financial position of the school going forward in the light of no foreseeable increase in pupil numbers and increasing cost. This is exacerbated by pension changes which will increase staffing costs by around 3% and the continued freeze in education funding at 2010 levels. The Governing Body consider that they could not reduce costs further and be able to operate as a school delivering a suitable broad curriculum and a good standard of education. Given the legal requirement to set a balanced budget they have come to the sad conclusion that St Ambrose Barlow is no longer viable as a school and passed a resolution asking the Archdiocese to request Sefton Council to consult on the closure of St Ambrose Barlow High School in August 2016.

3. Financial Position

- 3.1 St Ambrose Barlow has been struggling financially for a number of years and the Governing Body has worked hard to reduce costs and set a balanced budget.
- 3.2 The table below summarises the financial position of the school over the last two years and the projected financial position for 2015/16 and 2016/17.

Year	2013/14	2014/15	2015/16	2016/17
	£	£	£	£
Total Expenditure	2,980,712	2,695,497	2,603,639	2,604,180
Total Funding	2,781,084	2,481,610	2,414,722	2,297,111
Budget surplus / deficit	(199,628)	(213,887)	(188,917)	(307,069)
Balances B'fwd	670,565	470,937	257,050	68,134
Est. Balances C'fwd	470,937	257,050	68,134	(283,936)

- 3.3 As stated above the Governing Body has worked hard to reduce costs each year as a result of significant reductions in funding due to insufficient pupil numbers. However, even with savings in expenditure, the school has had to use approximately £200,000 of school balances each year to balance the budget.
- 3.4 The current financial position indicates that the school is currently overspending by approximately £190,000 this year, at a time when the school is potentially required to increase resource expenditure to raise standards, and will have all but exhausted its available balances by the end of March 2016. The projected financial position for 2016/17 is a deficit of £284,000.

- 3.5 As stated in 2.2 above the Governing Body have considered all options and are not able to provide an action plan to address the increasing deficit and bring the budget back into a balanced position. As a result St Ambrose Barlow is, therefore, not financially viable beyond the end of the 2015/16 financial year.

4. Standards

- 4.1 St Ambrose Barlow is classed as 'requiring improvement' by Ofsted and is due a further inspection imminently.
- 4.2 In 2014 the percentage of pupils gaining 5A*-C including English and Maths at GCSE was broadly in line with similar schools in the area and a significant improvement on the previous year which is a credit to the Governing Body, School leadership and staff. Given the continued financial pressures the school, however, the school are not able to invest in improving standards in order to move to, good, at their next inspection.

5. Pupil Places

- 5.1 There are significant surplus pupil places in secondary schools in the south of the Borough. The School Organisation Data Book indicates that there are 2,235 pupils in schools in the Bootle planning area with 2,966 places (surplus of 731) and a total net capacity of 3,107. Similarly there are 460 surplus places in the Litherland Area, 468 surplus places in the Crosby Area and 393 surplus places in Maghull Area. Analysis of individual schools data shows that there is sufficient net capacity in other Catholic secondary school in the area to accommodate all of the pupils from St Ambrose Barlow and significant alternative options should families wish to go to another school.

6. Statutory process and outline timescale

- 6.1 Local authorities are under a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. To help them meet these duties and restructure local provision they have the power to close all categories of maintained schools.
- 6.2 The statutory process for closing a school has five stages:

Stage 1	Consultation	No prescribed timescale (minimum of 6 weeks recommended; school holidays should be taken into consideration and avoided where possible). Likely to be no longer than 12 months.
Stage 2	Publication	1 day
Stage 3	Representation	Must be 4 weeks (this is prescribed in legislation and cannot be shortened or lengthened).
Stage 4	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator. Where permitted appeals must be made within 4 weeks of the decision.
Stage 5	Implementation	No prescribed timescale – but must be as specified in the published notice, subject to any modifications agreed by the decision-maker.

6.3 Under section 16(3) of the Education and Inspections Act 2006 a proposer of a school closure must have regard to any guidance issued by the Secretary of State. The Secretary of State considers that those bodies listed below should be consulted in the case of the proposed closure of schools:

- LA (as appropriate);
- parents of pupils;
- where the LA is a county council the local district or parish council where the school that is the subject to the proposal is situated;
- in the case of a special school – any LA which maintains a statement of special educational needs in respect of a registered pupil at the school.
- the Governing Body (as appropriate);
- pupils at the school¹;
- (if a proposal involves, or is likely to affect a school which has a particular religious character) the appropriate diocese or relevant faith group²;
- the trustees of the school (if any);
- teachers and other staff at the school;
- any LA likely to be affected by the proposal, in particular neighbouring authorities where there may be significant cross-border movement of pupils;
- the governing bodies, teachers and other staff of any other school that may be affected;
- parents of any pupils at other schools who may be affected by the proposal including where appropriate families of pupils at feeder primary schools;
- any trade unions who represent staff at the school; and representatives of any trade union of staff at other schools who may be affected by the proposal;

¹ Under section 176 of the Education Act 2002

² Under the DBE Measure 1991 Church of England schools must consult with their diocese before making closure proposals

- MPs whose constituencies include the school that is the subject of the proposal or whose constituents are likely to be affected by the proposal; and
- any other interested body/person that the proposer thinks is appropriate.

6.5 The consultation will consist of meetings with staff, governors and families and provide the opportunity for discussion and written representation. Following the consultation Members will receive a report which will consider the outcome of the consultation as well as detail on pupil numbers and admissions, arrangements for pupils from the closing school, community impact, impact on denominational provision and any implications for adjacent schools.

7. Consultation Proposal

7.1 Given the financial position of the school beyond the current financial year the consultation proposal will be to close the school from August 2016.

7.2 The consultation process will enable all stakeholders to express their views but it is important to begin the process as soon as possible so that parents and families (particularly those due to begin in year 7 in September) are made aware and can consider their options prior to the start of the new academic year.

7.2 The consultation process will be used to develop proposals to meet the needs of pupils in St Ambrose Barlow should a decision to close the school be made, particularly those who have embarked on their GCSE courses and are choosing options for the following year.