



Shropshire Council
Legal and Democratic Services
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Date: 3rd July 2015

Committee:

Decision Making Session by Portfolio Holder for Children's Services

Date: Monday, 13 July 2015

Time: 9.00 am

Venue: Grinshill Room, Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND

You are requested to attend the above meeting.
The Agenda is attached

Claire Porter
Head of Legal and Democratic Services (Monitoring Officer)

Members of Decision Making Session by Portfolio Holder for Children's Services

Ann Hartley

Your Committee Officer is:

Penny Chamberlain Principal Committee Officer

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AGENDA

1 **Proposal to consult on the closure of Buildwas Primary School** (Pages 1 - 8)

Report of the Director of Children's Services is attached, marked 1.

Contact: Karen Bradshaw – 01743 254201

Note: Portfolio Holder Decision Making Sessions are not open to the public. However Members of the public are welcome to submit a request to address or ask a question of the Member making the Portfolio Holder decision. Any request should be submitted in writing to the Chief Executive at The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND by no later than 2 clear working days before the proposed Member Session. This is to ensure that the individual member has sufficient time to decide whether or not to hear such persons and if so the arrangements to be made. If you would like further details please telephone Penny Chamberlain (01743 252729) or email: penny.chamberlain@shropshire.gov.uk



Portfolio Holder Decision
Making Session

13 July 2015

Item

1

Public

PROPOSAL TO CONSULT ON THE CLOSURE OF BUILDWAS PRIMARY SCHOOL

Responsible Officer

Email: karen.bradshaw@shropshire.gov.uk Tel: 01743 252407 Fax:

1. Summary

- 1.1 The most recent Ofsted inspection of Buildwas Primary School, in January 2015, placed the school in special measures. This followed a period when the school had been judged to require improvement. Changes in leadership have left the school vulnerable, and efforts to secure partnership arrangements, for example through federation, have been unsuccessful.
- 1.2 When a school is judged to be in special measures the local authority (LA) is required to produce a commentary and statement of action which outlines for Ofsted its plans for the school. These plans have to demonstrate appropriate action to support the short-term rapid improvement of the school, for the benefit of the pupils who currently attend the school. They also have to consider the long term future of the school. The Department for Education (DfE) expects that the school will become an academy, sponsored by a multi-academy trust that has demonstrated its capacity to improve partner schools. The LA can also consider whether it is better able to fulfil its duty to promote high standards of education in schools and the fulfilment of every child's potential (Education Act 1996) through closing the school and providing for current and future pupils at alternative local schools.
- 1.3 For this reason an analysis of the pupil demography of Buildwas Primary School has been undertaken. The school is attended by approximately half of the children in its catchment area. The majority of the children who attend the school from outside of the catchment area also live outside the LA's geographic boundary. The number of known in-area pre-school children is predicted to gradually decrease and this results in a forecast of reducing numbers for the school. This would further adversely affect the school's financial viability – given that the majority of its funding is pupil-led - and compromise its ability to secure effective leadership and sustainable improvement.
- 1.4 Shropshire Council has therefore decided to consult on a proposed closure of Buildwas Primary School in August 2016 in order to secure the most effective provision for Shropshire's children in the locality.
- 1.5 Evidence to support this decision is outlined in the background section of this report.

2. Recommendations

- 2.1 It is recommended that Portfolio Holder note the content of the report and approve the proposal to formally consult on the closure of Buildwas Primary School in August 2016.
- 2.2 Cabinet/Portfolio Holder approval is a necessary requirement to take forward this proposal, as it forms part of a statutory process.

REPORT

3. Risk Assessment and Opportunities Appraisal

- 3.1 There are no identifiable risk management or human rights issues involved in this proposal. School places will be made available in other schools for pupils displaced should Buildwas Primary School close. However, there would be a small reduction in the number of non-denominational places in the area. The revised transport arrangements for those pupils displaced may lead to an increase in traffic and carbon emissions in the area but the proposal would lessen the congestion outside the site of the school at key times of the day.
- 3.2 The community of Buildwas will be given the opportunity to comment on any formal proposal to close the school as part of the required statutory consultation process. This statutory consultation has to include consideration of risk management, human rights, equalities, community and environmental consequences.

4. Financial Implications

- 4.1 Continuing to run a school that is failing to provide a good standard of education for its pupils does not provide value for money. The closure of Buildwas Primary School would lead to the redistribution of the school's revenue funding through the schools' funding formula, with the pupil-led formula factors resulting in the funding following the pupils transferring into other, mainly local, Shropshire schools. These receiving schools will see their budgets increase as their numbers on roll rise; as many currently have unfilled places this may make them more financially viable and sustainable.
- 4.2 This redistribution of funding means that there is no direct saving to the LA or to the overall schools' budget. However, it is important to note that for any pupils transferring out of area eg to Telford & Wrekin, there will be a reduction in the Dedicated Schools Grant Shropshire receives.
- 4.3 Any capital receipts from the disposal of the school site will, subject to the necessary approvals, be retained within Learning & Skills for reinvestment on capital works in other Shropshire maintained schools.

5. Background

- 5.1 Buildwas Primary School was inspected in April 2013 and judged to require improvement. The leadership and management of the school were judged to be good and governance was judged to have acted decisively to strengthen school leadership; the school was therefore not subject to Her Majesty's Inspectorate (HMI) monitoring visits.
- 5.2 However, in February and September 2014 the LA discussed concerns about the school's progress with the Headteacher and with the Chair and Vice Chair of Governors. Soon after this, and during a period of instability in the school's leadership, LA officers reported to the Chair and Vice Chair of Governors that the school had become vulnerable to a judgement of special measures. Governors were advised to take urgent action to harness the support of a local headteacher allocated to the school as an accredited Local Leader of Education (LLE). They were also advised to begin discussions with potential partner schools, with a view to securing effective leadership through federation. Discussions with four potential partners were brokered by LA officers, but did not progress quickly.

- 5.3 In January 2015 an Acting Headteacher took up post and very soon afterwards the school was inspected and judged to require special measures. The inspection identified a significant number of key weaknesses, including: the quality of teaching in Years 1 to 6; pupil progress in reading and writing in Years 1-6; provision for children with Special Educational Needs and Disabilities (SEND); the weak support for children demonstrating challenging behaviour in Year 6; and, a range of leadership issues, including some related to safeguarding.
- 5.4 For a school judged to require special measures the LA has to submit to Ofsted an LA commentary and statement of action. This statement has to make clear:
- a) The action the LA has taken to date. In the case of Buildwas Primary School this was judged by Ofsted to be extensive and to have had an impact particularly in relation to the teaching of mathematics and in the early years, both of which were judged to be areas where pupils were making better progress;
 - b) What action the LA will take to improve rapidly the provision and outcomes for children currently at the school. This has to be outlined in a detailed action plan;
 - c) Whether the LA judges that in order to achieve this it needs to use its powers of intervention, for example by establishing an Interim Executive Board (IEB). The LA has not taken this action in the case of Buildwas Primary School.
- 5.5 The statement also outlines the need to give careful consideration to the longer term plans for securing effective and sustainable provision for children in the area, either through a move to sponsored academy status or through school closure, with alternative school places offering better quality provision and outcomes for pupils.
- 5.6 The DfE representative has met with the governing body of the school and the LA and suggested that identifying a partner to sponsor Buildwas Primary School will not be easy. There are no obvious partners in the local area, and possible partners are likely to question the school's sustainability.
- 5.7 In considering the long term sustainability of the school the following details need to be taken into account:
- the school has capacity to educate 84 pupils and has a published admissions number (which confirms the maximum capacity of the school in each year group) of 12;
 - in January 2013 the school's number on roll (NOR) was 90, in January 2014 there were 82 pupils at the school and in January 2015 there were 71 pupils;
 - 58 primary school age children live in the school's catchment area. 31 of these attend Buildwas Primary School (53.4% of the catchment pupils and 43.7% of the number of pupils on the school's roll). Almost half (46.6%) of the pupils within the school's catchment area therefore currently attend out of area schools; the average in-area admissions across Shropshire primary schools is 67%;
 - the loss of catchment pupils and decline in pupil numbers overall will lead to a reduction in the school's budget share and impact on the ability to deliver effective and sustainable education provision;
 - almost 57% of children attending the school come from out of area, with the majority (39 children) living within the Telford & Wrekin Council area;
 - the new Lawley Village Academy School (due to open nearby to Reception children in September 2015, other Key Stage 1 year groups in January 2016 and all year groups from September 2016) could adversely affect the number of pupils from Telford & Wrekin who will attend Buildwas Primary School;

- the continued vulnerability of the school, including its Ofsted status and another period of Acting Headship, might lead to a further loss of pupils. The Acting Headteacher who took up post in January 2015 leaves the school at the end of August 2015. The LA has had no response to an initial advertisement for a secondment and has pursued other routes to secure leadership for September 2015.
- 5.8 The first HMI monitoring visit to the school, as a school in special measures, judged that the Acting Headteacher, other leaders and governors “*are showing a tangible determination and commitment to improve the school as quickly as possible*” and that “*The local authority is providing an appropriate level of challenge and support to the school through regular meetings and reviews. The local authority adviser knows the school well and has arranged a programme of effective and well-focused support*”. This is to be welcomed, because it demonstrates that the Acting Headteacher and the governors, with the support of the LA, are working effectively to secure improved provision for the children who currently attend the school. However, this does not secure the long term sustainability of the school.
- 5.9 Further consideration relates to the school accommodation and site issues. Our assessments have been based on the more detailed DfE Building Bulletin 99, as its successor (Building Bulletin 103) does not give sufficient detail to assess precise measurement deficiencies. However, it is judged that the school hall is about one-third of the required size. The school site is very compact, is deficient in size and is on a sloping gradient. It is located on the busy A4380 with school parking directly off this road and is accessed via a narrow residential road to the rear of the site, including school bus drop-off.
- 5.10 Five Shropshire primary schools local to Buildwas Primary School have unfilled places. All of them are judged by Ofsted to be good or outstanding and these judgements are endorsed by the LA. The closure of Buildwas Primary School will redirect the Dedicated School Grant (DSG), via the schools funding formula, to the other schools in the area. This could provide for a more efficient use of delegated funding by making these schools more cost effective by taking up current unfilled places.
- 5.11 The majority of pupils and pre-school known children live in the centre or west of the catchment area, towards Upton Magna and Cressage. The existing defined catchment area could therefore be split between more than one school and the reorganisation of catchment boundaries will form part of the detail of any proposal. This will need to be included in the admissions consultation which takes place between October 2015 and January 2016 for admissions to schools in the academic year 2017/18. The arrangements will also apply to those pupils to be admitted to schools in the academic year 2016/17.
- 5.12 The pupil capacity at Upton Magna St Lucia’s CE Primary is sufficient to accommodate all children currently in both its own and the Buildwas Primary School catchment area. However, not all children live towards the Upton Magna side of the catchment area. It is therefore important that there is also capacity at Cressage Christ Church CE Primary which could take some Shropshire pupils who live at the eastern side of the current catchment area for Buildwas Primary School. Furthermore, space at the site of Cressage Christ Church CE Primary is sufficient to expand the school by up to 5 additional classrooms.
- 5.13 An initial analysis of the next nearest schools for current children on roll at Buildwas Primary School shows maximum travel distances from home to be around 4 to 4.5 miles, which is within the national guidelines and Shropshire’s own travel policy for primary age children.

5.14 Almost without exception, children on roll at Buildwas Primary School transfer to William Brookes School at the end of Year 6. The admissions criteria for this secondary academy provides an extra weighting for applicants residing outside the designated catchment area (including those resident in Telford & Wrekin), who have been on roll at a primary school situated within the designated catchment area for 12 months prior to transfer. The schools, known as linked-primary schools, connected to William Brookes School in this way are:

Brockton CE Primary	Broseley CE Primary
Buildwas Primary	Christ Church CE Primary, Cressage
Church Preen Primary	John Wilkinson Primary, Broseley
Much Wenlock Primary	Barrow 1618 CE Free School

5.15 Children who live within the designated catchment area for William Brookes School will continue to have a high priority for places even if they are not on roll at Buildwas Primary School. Children who live outside the designated catchment could potentially continue to qualify as linked-primary applicants if they were to transfer to any other of linked primary school. There are sufficient vacancies at these schools to accommodate all current Buildwas Primary School pupils, whether resident in Shropshire or elsewhere.

5.16 The LA has given the proposal three further considerations.

- i. The closure of Buildwas Primary would remove 84 non-denominational primary places in this area of Shropshire. However, two schools within travel distance are LA maintained schools with unfilled places. Further non-denominational places within their own LA would be available to children who currently travel from Telford & Wrekin to Buildwas Primary School.

Decisions on the nominated successor schools for pupils affected by this proposal will be outlined in detail in the full consultation papers.

- ii. The closure of Buildwas primary school will have an impact on local early years provision. However, currently only two Shropshire children regularly access their free early years entitlement at the school's LA maintained nursery, and another seven or eight children who live in Telford & Wrekin attend the nursery. There is alternative early years provision in the local area, and the LA is confident that, if the nursery was to close, the needs of the Shropshire children could be easily met through that other provision. However, some families may be inconvenienced by having to travel further than would currently be the case. There is no other easily accessible maintained nursery provision in the local area.
- iii. Buildwas Primary School is designated by the DfE as a rural school and therefore any case for closure has to be strong and a proposal clearly in the best interests of education in the area. As required, the full consultation proposal will therefore give detailed consideration to:
 - the likely effect of the discontinuance of the school on the local community
 - the availability, and likely cost to the local education authority, of transport to other schools
 - any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and
 - the likely effects of any such increase and any alternatives to the discontinuance of the school.

6. Additional Information

6.1 If the proposed closure continues through its various stages the timetable to a final decision would be as follows:

Monday 13 July, 2015	-	Portfolio Holder decision to consult on closure
Monday 7 September - Sunday 18 October, 2015	-	Statutory Consultation
Wednesday 28 October, 2015	-	Cabinet decision to publish closure proposal
Monday 2 November, 2015	-	Publication of notice of closure proposal
Monday 2 November - Sunday 29 November, 2015	-	4 week statutory representation period
Wednesday 9 December, 2015	-	Cabinet decision on proposal to close Buildwas Primary School in August 2016

7. Conclusions

- 7.1 Buildwas Primary School is an underperforming school. It currently only provides education for just over half of the children in its catchment area; its numbers have been declining and are forecast to continue to fall. The school site is not ideal for the provision of education and the further projected reduction in funding to the school as a direct consequence of its falling numbers will continue to compromise the financial viability and educational sustainability.
- 7.2 Shropshire Council has therefore decided to consult on a proposed closure of Buildwas Primary School in August 2016 in order to secure the most effective provision for Shropshire's children in the locality.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information):

None at this stage

Key Decision: Yes

Included within Forward Plan: Yes

If a Key Decision and not included in the Forward Plan have the General Exception or Special Urgency Procedures been complied with: Yes/No

Name and Portfolio or Executive Member responsible for this area of responsibility:

Ann Hartley

Local Member:

Claire Wild

Appendices:

None at this stage

Declaration of Interest

- I have no interest to declare in respect of this report

Signed Date
 NAME:
 PORTFOLIO HOLDER FOR:

- I have to declare an interest in respect of this report

Signed Date
 NAME:
 PORTFOLIO HOLDER FOR:

(Note: If you have an interest you should seek advice as to whether it is appropriate to make a decision in relation to this matter.)

For the reasons set out in the report, I agree the recommendation(s) in the report entitled

Signed
 Portfolio Holder for
 Date

If you have any additional comment which you would want actioned in connection with your decision you should discuss this with the report author and then set out your comment below before the report and pro-forma is returned to Democratic Services for processing.

Additional comment:

Note: If you do not wish to approve the recommendations, or wish to make an alternative decision, it is important that you consult the report author, Head of Legal and Democratic Services, Chief Executive and the Head of Finance, Governance and Assurance (S151 Officer) and, if there are staffing implications the Head of Human Resources (or their representatives) so that (1) you can be made aware of any further relevant considerations that you should take into account before making the decision and (2) your reasons for the decision can be properly identified and recorded, as required by law.

Note to Portfolio Holder: Your decision will now be published and communicated to all Members of Council. If the decision falls within the criteria for call-in, it will not be implemented until five working days have elapsed from publication.