

Children & Young People's Services Select Committee: Task and Finish Group to Review Small Schools

18 September 2019 – At a meeting of the Group held at 12.00pm at County Hall, Chichester.

Members present: Mr Jupp (Chairman)

Mrs Flynn
Mrs Hall
Ms Lord
Ms Sudan

Apologies for absence: Maria Roberts (Parent Governor Representative).

Officers present:

Rachel Allan – Senior Advisor Democratic Services
Natalie Jones-Punch – Assistant Democratic Services Officer
Tony Kershaw – Director of Law and Assurance
Paul Wagstaff – Director of Education and Skills
Graham Olway – Head of School Organisation and Transport Group
James Richardson – Programme Manager

Election of Chairman:

Mr Jupp was elected as Chairman.

Declarations of Interest:

Ms Sudan declared an interest as her husband is Chair of Governors at Langley Green Primary School.

Mrs Flynn declared an interest as a governor of Ingfield Manor School and as a particular family member is a service user.

Terms of Reference

- Members noted and agreed the Terms of Reference and the agreement at the Children and Young People's Services Select Committee (CYPSSC) that the membership comprise six members of the committee, including two minority party members and one co-opted member.

Notes

1. Members confirmed receipt of various representations from parents, schools and governors of the five schools regarding the information contained in the draft decision report and accompanying appendices. Members also noted representations on the level of engagement

preceding the consultation proposal and the timing and specific value of those with schools by officers before the identification of the schools now proposed for the consultation exercise. These representations had helped to inform their comments and questions at this meeting.

2. Members acknowledged that the report's appendices were very detailed, but there were questions as to the generic nature of parts, the selection of negative rather than positive factors, weight given to less significant issues and the factual reliability of some of the data.
3. Members asked if WSCC owned the school buildings and if there would be any financial gain arising from any decision to close. Officers advised that land ownership details had been provided in the maps in an attempt to be transparent. It was also noted that three of the schools are Diocesan controlled with limited land holdings by the Council. Without pre-empting particular outcomes there was an expectation that any financial savings or receipts would be used for investment in the County Council's schools and specialist services.
4. Members requested clarification on the relevance of the ambition in the School Effectiveness Strategy (SES) that all pupils in West Sussex were in Good or Outstanding Ofsted rated schools and noted that 2 of the schools identified were rated Good (one without the volatility suggested). The Director of Education and Skills advised a change to the Ofsted inspection framework has taken place, meaning that former ratings of 'Good' would become less reliable. It was also emphasised that pupil attainment was a more valuable performance indicator, the Ofsted rating not being disregarded but being seen alongside a broader range of factors including pupil progress and attainment. These pupil attainments over time, linked with school contextual information including proportion of disadvantaged pupils and those with EHCPs attending the school, had been considered when completing the impact assessments to inform the decision.
5. Members of the TFG sought clarification on the numbers of children with Special Educational Needs and Disabilities (SEND), and whether this included a mix of those with an Education and Health Care Plan (EHCP) and those identified within a school setting as requiring additional support or needs. The Director of Education and Skills advised the figures represented those formally recognised as holding an EHCP, as schools' own criteria for assessing needs varied school by school. The measure of EHCP was more objective as decisions on assessment and the allocation of such a plan were made by an independent panel and therefore moderated across all schools in the county. He explained that the County's number of EHCP children was around the national average. For numbers of pupils with needs based on only school assessment the figure is above the national average. This figure is a less reliable data source due to the lack of external moderation.

6. In relation to data accuracy, officers advised members that efforts were made to be as transparent as possible, providing sources and timings of all collated information available at the time, with a caveat that pupil detail varied on a day to day basis. The Director of Education and Skills added that the number of pupils on roll was taken from the January 2019 census. It was used consistently for all schools in the sifting and assessment process described in the decision report. The Chairman noted the dynamic nature of data and suggested source dates were included on the information sheets. Whilst officers noted source dates were indicated in the report, it was agreed further effort would be made to address the variability of data.
7. On the subject of the amount and the nature of engagement with schools, the Head of School Organisation advised the TFG that conversations had taken place with governing bodies and teachers for a period of around one year. On 9 October 2018, an engagement event took place with Heads and Chairs of Governors of schools predominantly across the Rother Valley and around Chichester, where concerns were shared about declining pupil numbers at a number of small, rural schools. The CE Diocese were represented and their document 'Embracing Change' was used to inform the questions schools needed to consider. There had also been direct engagement with the West Sussex Governors Association. Attendees at these events were encouraged to have conversations about potential federation opportunities. Some governing bodies had successfully explored this, whilst others were unable to find suitable partners and regrettably others chose not to take action in this regard.
8. The Head of School Organisation explained that the service was able to evidence that conversations with the schools involved had happened. The Director of Education and Skills advised there had been a mixed level of engagement from the five schools identified in the draft decision report. It was explained that a number of sources of guidance on federation were signposted or provided. It was made clear that it was not the role of the County Council to undertake the federation discussions on behalf of schools. They needed to be led by school leaders and governors using the guidance provided. It was notable that some schools did so and others did not. Link advisers were available and some schools had made good use of them. Other specialist advice could only be provided if charged for. The Director of Education and Skills advised Her Majesty's Inspectorate of Education were clear that the management and administration of any federation was the responsibility of the governing body to progress and not the responsibility of the local authority.
9. Members expressed concern that there may have been a disconnect between this engagement event in the context of the SES and the subsequent small schools assessment, and cited a potential lack of communication in terms of the thread between the SES and small schools. The Director of Education advised that the West Sussex Governor's Association undertook a survey of the five schools

concerned to get a sense of the engagement, and that he undertook a number of visits to the schools to discuss future viability and organisation. The survey confirmed the information in the report as to the level of engagement given which schools themselves fed back to the survey.

10. Members noted that engagement had taken place, but suggested it was perhaps not meaningful or supportive enough in terms of the conversations about possible federation. The Director of Education and Skills cited some unsuccessful attempts to engage with schools and Chairs of Governors which had made the engagement process difficult in some circumstances.
11. In response to a question about the perception from the process and the material that this was all about school closure the Director of Education advised that effective networks did exist between some schools, and that there were no specific proposals to do anything to a particular school at the current time. This was not an exercise in consulting for closure as, with one possible exception there were genuine options for all schools subject to the proposals – including no change. Members accepted there was not a firm proposal to close schools and considered how options would progress after the consultation.
12. Members asked about the timing of the consultation and whether more time should be available to get the information better analysed and understood. The TFG were advised that timing was crucial. There was a desire for a decision to be known as soon as possible to give families some certainty before plans for the next academic year could be made. Members were advised that due process would be given and that the timescales were based on guidance from the DfE and the need for certainty for all concerned. The TFG accepted the benefits of adhering to the decision report's proposed timing.
13. The Director of Education and Skills advised that the consultation period would be completed by 22 November 2019. Stage 2 would involve the publication of proposals, if required. Members of the TFG heard that if proposals emerge to close, relocate or merge one or more of the schools, there would be a requirement to undertake a formal statutory consultation process. The TFG recognised this as an important part of the process.
14. Members were concerned about prospective pupils and parents being discouraged from applying for any of the schools because of this process and that admission drop would then be counted against them. The TFG were advised the admissions booklet would indicate if a school was part of, or subject to, statutory consultation. Parents were always encouraged to provide three school preferences; should a decision be taken to close a school that parents had applied to, the admissions team would consider their second and third preferences and other possible arrangements. Members were reassured that WSCC had a

duty to ensure a school place for a child and any decision to make a fundamental change would not leave a child without a place. The 'discouragement' factor would be in the minds of those assessing the impact of the consultation process.

15. The Director of Education and Skills emphasised the financial constraints that would need to be fully considered in addition to the school performance and community impact and advised that some of the schools concerned were being financially supported with protected funding on top of the normal local authority funding contribution. He added that small schools attracted a range of differing views of parents, being popular with some but not with others. Members heard that nearly 80% of children who lived in the catchment area for Stedham did not attend that school, and for Warninglid this was 94%.
16. Some concern was expressed about the accuracy of the data and that it gave the impression of being detailed and focused but was in fact very generic and not based on real impact assessment data or analysis. Some questions from the School Effectiveness Strategy were not answered and yet some questions outside the strategy were considered. Members were concerned therefore about what exactly had informed the decisions to include some and exclude others. Officers agreed to correct any identified errors and to clarify any areas of apparent contradiction. Some of these could however be explained either by the timing of the work or the factors taken into account to inform judgments
17. The Director of Education and Skills noted the comments about the limited availability of school places in schools local to some and referred in particular to the availability of vacant school buildings to enable some schools to grow to accommodate additional pupils rather than relying on current capacity. It would be problematic however to make commitments that could be seen as prejudging outcomes for any school.
18. Members asked for clarification as to why these five schools had been selected and considered if the detail in the decision report be expanded upon. The Director of Education and Skills cited the following reasons:
 - Rumboldswyke had received an inadequate Ofsted rating leaving it with the option to either close or academise. Academisation was not a likely option for Rumboldswyke due to the size of the school.
 - Each of the other schools were significantly below capacity and projected numbers were not indicating any significant growth or indeed were likely to decline further.
 - In rural areas there was limited opportunity for the school population to grow in terms of accessibility to housing, age-profiles, fewer young families and housing development occurring elsewhere.

- Most of the schools identified relied heavily on children from outside of their catchment area to populate the school.
- The high proportion of local pupils who do not attend the school.
- Surplus capacity in other local schools.
- Two of the schools considered currently have no permanent head. (it was noted that in one case recruitment had been held pending this process but the reasons for the head leaving were also factored in).
- Recruitment of heads for small schools is a challenge when higher rewards are available in larger schools.
- Two of the schools considered had a Requires Improvement Ofsted rating.
- Funding for schools was dependent upon the number of children on roll; as the numbers decline, the costs become greater which was an unsustainable model.
- There were concerns at some of the schools identified about the levels of attainment being achieved by some pupils. If they continued into a financial deficit, and low teacher or head teacher retention resulted then poor academic results were a more likely outcome.
- Intensive intervention by WSCC had taken place in three of the schools outlined. This also could not be sustained.

19. Members noted that the consultation would provide the opportunity for a greater number of interest groups to provide feedback to test these assertions, and how forward-looking viability had been assessed. Officers advised projections had been made to 2022 using a standard practice model and confirmed that the consultation period would deliver a broader view and understanding of the viability of these schools and that this was its main purpose.

20. Members considered that should such an exercise be repeated in the future, it was important that learning was taken from this experience. The following points were considered as ways to improve the approach, which concurred with comments provided in public representations:

- Provide greater context regarding any high-level review, for example background information that led to the consideration of twenty-five schools being reduced to five.
- There was a general feeling that the information in the impact assessments for the schools represented generic detail that could be applicable to any school. Future decisions of this nature should provide detailed and specific assessments of the individual schools.
- In some cases, there was a sense that some of the information demonstrated factual inaccuracies which put the reader in doubt. Members reiterated the requirement that the content be trustworthy and correct for effective and transparent decision making.
- Clearer information and contextual landscapes would provide a platform for more effective and informed scrutiny.

- Alongside options of federation, merger, relocation and closure, consideration of a 'do nothing' approach should be incorporated. This would enable an understanding of the implications of a 'do nothing' option, highlighting in a realistic way the potential outcomes, including financial positions.

21. Officers advised the TFG that factual inaccuracies would be corrected and stressed a mutual desire that members and the public have confidence in the information provided.

Recommendations

1. The TFG recommend to the Cabinet Member for Education and Skills that the consultation process due to start on 4 October 2019 includes a 'do nothing' option to enable consultees to promote this if they wish to.
2. The TFG recommend that the Cabinet Member for Education and Skills reflects upon and considers all representations received from schools and parents and other stakeholders before any decision is taken.
3. The TFG asked that its notes and the record of its deliberations and further information from officers arising be published and be made available to the Cabinet Member to inform any decision he takes.

Dates of future meetings

The next meeting of the Small Schools TFG will be confirmed once arranged. The next meeting will be held in public and details of the arrangements will be published on the County Council website.

The meeting ended at 14.02pm