



CABINET

11 SEPTEMBER 2018

EXECUTIVE DIRECTOR OF COMMERCIAL & PLACE: IAN BOLL

**CABINET MEMBER WITH RESPONSIBILITY FOR: CHILDREN, FAMILIES &
EDUCATION: COUNCILLOR VICTORIA PERRY**

Subject:	The proposed closure of Great Creaton Primary School
Recommendations:	Cabinet is asked to; 1) Approve the closure of Great Creaton Primary School with effect from 31 st December 2018; 2) That Cabinet delegates, to the Director of Place, in consultation with the relevant Cabinet Member for Children, Families & Education, responsibility for any administrative or technical decisions arising from the closure.

1. Purpose of report

- 1.1 To provide Cabinet with all the necessary information to make a fully informed decision on the proposal and recommendations outlined above.
- 1.2 This report will also provide full details of all feedback received during the period of representation conducted between 19th June and 17th July, which was initiated by the issuing of the statutory notice of closure relating to the school on 19th June.

2. How this decision contributes to the Council plan

The Council's vision is to make Northamptonshire a great place to live and work. This is achieved through increasing the wellbeing of your county's communities and/or safeguarding the county's communities.

This initiative helps the Council to deliver this vision through the following strategic priorities outlined in the Council Plan:

- Improving education progress attainment and skills at all key stages and throughout adulthood.
- Maximising the use and value of our assets to support safe and efficient service delivery.

3. Background

- 3.1 At a full Cabinet meeting held on Tuesday 13th March 2018, Cabinet approved the beginning of an initial period of consultation on the proposed closure of Great Creaton Primary School. This was conducted between 22nd March and 17th May 2018.

3.2 Following the initial period of consultation, Cabinet subsequently approved the publication of the statutory notice of closure relating to the school. This initiated a statutory four week period of representation on the proposal and was conducted between 21st June and 19th July 2018, a summary of which can be found in section 4.3 of this report.

3.3 This decision forms the final part of the decision making process for school organisational changes of this nature, as specified in the following legislation;

- The 'Education & Inspections Act 2006', as amended by the 'Education Act 2011';
- The 'School Organisation (Establishment and Discontinuance) Regulations 2013'.

3.4 The decisions to both begin the initial period of consultation and to issue the statutory notices of closure were based upon the low and decreasing number of pupils on roll at the school and the impact that this has had on the school's ability to effectively deliver the curriculum to pupils. Full details of which can be found in Appendix 1 to this report.

3.5 If the decision is taken to close the school, the school would be discontinued with effect from 31st December 2018 and would cease to operate from this date.

3.6 The Department for Education (DfE) guidance document 'Opening and closing maintained schools' states there is a 'presumption against closure' of rural schools. Great Creaton Primary School is designated as a 'rural' school. The DfE guidance on the subject further advises that 'whilst this does not mean a rural school will never close, the case for closure must be strong'. The 'presumption against closure' also means that NCC is required to demonstrate that it has carefully considered the following factors;

- The likely effect of the closure of the school on the local community;
- educational standards at the school and the likely effect on standards at neighbouring schools;
- the availability, and likely cost to the LA, of transport to other schools;
- any increase in the use of motor vehicles which is likely to result from the closure of the school and the likely effects of any such increase, and;
- any alternatives to the closure of the school.

Each of the bullet points identified above have been carefully considered by NCC and details of this can be found in the statutory notice of closure published in relation to the proposal or in section 6 of this report.

3.7 With effect from 1st September 2018, there will be three pupils on roll at the school, two of these pupils will be in the school's Year 6 cohort, with another due to start in the Reception cohort. It is not anticipated that there will be any other pupils in any other year group at the school at the start of the 2018/19 academic year.

3.8 Giving consideration to the place of residence of each of these pupils, the indication is there will be a maximum increase of two car journeys from the village of Creaton should the school close. Until an alternative school has been

identified (in the event of closure) for these pupils it is not possible to quantify the cost of transport to the Local Authority.

3.9 Full details relating to attainment and progress data for Great Creaton Primary School, along with comparisons to the DfE floor standards and national averages can be found in Appendix 1 to this report. For the purpose of clarity, the school's attainment data for the last two academic years has been below both the DfE floor standard and the national average. The progress data recorded by the school has been significantly below the national average for the previous two academic years.

3.10 Due to the low number of pupils on roll at Great Creaton Primary and the issues the school is facing in terms of its ability to effectively deliver the curriculum to pupils which arise from this, it is the opinion of NCC that pupils would be educated far more effectively in alternative settings. As a result of this, it is not anticipated that the closure of the school would have any impact on attainment levels in other local schools and that pupils currently attending Great Creaton Primary would benefit from the proposal.

3.11 Due to high levels of staff turnover at the school over the Summer holidays, in which both members of the existing teaching staff left the school, along with a number of teaching assistants, there are concerns regarding the school's ability to meet its Health & Safety and Safeguarding obligations (please note, these staffing changes are unrelated to the consultation). Whilst two new members of staff will be completing the required First Aid training at the beginning of September, any absence will mean that the school does not have effective First Aid procedures in place. The absence of the 'Designated Safeguarding Lead' on any given day will mean that the school struggles to fulfil its Safeguarding obligations and a member of staff from Clipston Primary would be required to attend Great Creaton Primary.

3.12 Cabinet is asked to note that, at the time of writing, there is no private community use of school facilities either during the school day or outside of school hours. As such, the proposed closure of the school would have a limited impact on the local community. 'Ducklings pre-school', who lease (effective until 31st August 2019) part of the school site, will continue to do so regardless of any decision made in respect of the school.

3.13 Cabinet is asked to note that a separate consultation process being led by LGSS HR relating to the possible closure of Great Creaton Primary School and what may happen to staff in the event of closure commenced on 4th June 2018. This consultation will only proceed should Cabinet take the decision to progress the proposal to discontinue the school.

4. Consultation and Scrutiny

4.1 The consultation process for school closure proposals is statutory and is explained within the DfE guidance booklet 'Opening and closing maintained schools'. The detail of this is set out in the report that went to Cabinet in March 2018. The statutory consultees and consultation methods utilised by NCC during

the process were also identified in the report that went to Cabinet on 13th March 2018.

4.2 In accordance with the statutory school closure process, NCC conducted a four week period of representation between 21st June and 19th July 2018, in which any interested party could make their views on the proposal known to NCC. A summary of all feedback received during this period is provided below. Please note, due to GDPR considerations it is not possible to publish all consultation responses in full.

4.3 The table below details responses received during the period of representation and the respondent's opinion on the proposal. Please note, the table details number of respondents rather than number of individual responses i.e. multiple responses from one individual are counted as one response. Please note, hard copies of all consultation responses received have been made available to Cabinet members for their full consideration, prior to this meeting. Please also note, multiple responses from individual stakeholders have been counted as one in the table below.

Analysis - Agreement with proposed closure?			
Code	INTEREST	COUNT	%
1	Strongly agree		0.0%
2	Agree		0.0%
3	Neutral		0.0%
4	Disagree		0.0%
5	Strongly disagree	26	96.3%
6	Don't know	1	3.7%
X	Not answered/not relevant		0.0%
TOTALS		27	100%

The above table illustrates that a large majority of stakeholders are opposed to the proposal to discontinue Great Creaton Primary School with a 96.3% of respondents 'strongly disagreeing' with the proposal.

The main reasons cited by those stakeholders against the proposal are as follows;

- The school provides a unique learning environment/has special characteristics;
- The impact on the local community the school closing would have (see section 3.11 of this report);
- Closure would reduce parental choice;
- Alternative solutions to closure have not been explored (see section 6);
- Failings on the part of the Headteacher/Governing Body/NCC are responsible for the position the school finds itself in;
- The manner in which the consultation was launched was 'illegal' (please note, a thorough and comprehensive review of the manner in which the consultation was initiated conducted by LGSS Law found no evidence of any wrongdoing on the part of NCC and the manner in which the consultation has been conducted).

4.4 All stakeholders' interest in the consultation are detailed in the table below. Please note, stakeholders can have multiple interests in the consultation so the figures given will differ from the table above;

Analysis - interest in consultation (can use multiple codes)			
Code	INTEREST	COUNT	%
1	Child/children attend Great Creaton Primary	4	11.8%
2	Governor	1	2.9%
3	Lives in local area	16	47.1%
4	Other (SPECIFY)	11	32.4%
5	Not stated/known	2	5.9%
TOTALS		34	100%

4.5 The Federated Governing Body of Clipston and Great Creaton Primary Schools formal response to the consultation was neither in favour nor in opposition to the proposal to discontinue Great Creaton Primary School. The full response can be found below;

'The Governing Body of the Clipston and Great Creaton Federation has had the opportunity to respond to the consultation and it has considered all the information brought to their attention. The Board has no further responses to add.'

5. Equality Screening

5.1 A full Equalities Impact Assessment form can be found using the link below;

Environment, Place & Transport:

[http://www3.northamptonshire.gov.uk/councilservices/council-and-democracy/equalities/equality-impact-assessments-eqias/Pages/environment,-planning-and-transport-equality-impact-assessments-\(eqias\).aspx](http://www3.northamptonshire.gov.uk/councilservices/council-and-democracy/equalities/equality-impact-assessments-eqias/Pages/environment,-planning-and-transport-equality-impact-assessments-(eqias).aspx)

6. Alternative Options Considered

6.1 Joining or forming a Multi-Academy Trust (MAT): Since 2015, the Senior Leadership and Governing Body of the school have investigated the possibility of forming or joining the MATs listed below, details as to why each option was not realised;

Existing Academy Trusts	Reason
Discovery Schools Academy Trust	Trust stated that school was too small after period of due diligence and they were unlikely to agree to any school smaller than 1FE joining.
Guilborough Secondary MAT	Governing Body decision that joining a secondary led MAT was not in the school's best interests.
Learn Academies Trust	Academy Trust declined school request to join Trust due to the size of Great Creaton Primary
Peterborough Diocese Education Trust	PDET at capacity at time of conversation and not felt appropriate due to community school status
	There have been preliminary discussions with a fifth Trust which were discontinued after consultation with DfE.

New Trust Proposals	In addition there have been three separate discussions around the creation of new Multi-Academy-Trusts in the locality of Creaton Primary School
Proposal 1	Discussions involved five local schools forming a MAT. Not progressed after DfE/RSC advised that MAT would be too small and should be comprised of 3000 pupils to be considered in viable in the long term.
Proposal 2	Increased number of schools formed discussions following DfE advice. Could not be progressed due to issues surrounding Church and non-Church Schools forming a MAT.
Proposal 3	Formation of MAT is currently under discussion. Schools forming MAT have advised they would be unable to support Great Creaton at the present time and there are concerns over size. Formation of MAT still subject to RSC approval and may not happen due to size of proposed MAT.

It needs to be born in mind that DfE and the Regional Schools Commissioner when considering proposals for new academies and conversions also take note of issues of potential educational achievement and viability and need to be convinced that proposals have a strong case. The problems surrounding Creaton Primary School which have led to the publication of the statutory proposal are equally relevant to academy proposals.

- 6.2 Federation with another local school: Great Creaton was federated with Clipston VC Primary School in April 2013. Whilst the option of federation can help small school's increase their financial viability through the sharing the costs of a Headteacher, Business Manager and other staff with another school(s) this option will not address the issue of small and declining numbers of pupils on roll at a school and this option has already been explored in respect of Great Creaton Primary School.
- 6.3 Do Nothing: Given that the proposal to begin consultation on the possible closure of Great Creaton Primary School resulted from long standing concerns shared by NCC and the senior leadership of the school over the low and decreasing number of pupils on roll and the attendant impact this has on the school's ability to effectively deliver the curriculum, this is not considered to be a viable option.
- 6.4 Defer the decision on closure/change the proposed date of closure until the end of the 2018/19 academic year: Despite a number of alternative options to closure being explored, no viable alternative option to closure has been identified. In addition to this, the significantly reduced number of pupils due to be on roll at the school will only serve to exacerbate the issues relating to the school's ability to effectively deliver the curriculum to pupils. Due consideration should also be given to the Safeguarding and Health & Safety concerns identified in section 3.10 of this report. As such, it is not felt that deferring either the decision or proposed closure date be in the best interests of pupils attending the school.

7. Financial Implications

- 7.1 Should the decision be taken to discontinue the school, there would be no direct impact (positive or negative) on the Council's revenue budget since school revenue funding in the form of the Dedicated Schools Grant (DSG) is ring-fenced from all other Council revenue streams. Any funding the school was due to

receive from the DSG would be returned to the general fund and distributed to other county schools in accordance with the current funding formula.

7.2 Should the decision be taken to discontinue Great Creaton Primary School, there will be redundancy costs associated with this decision. It is anticipated that, in the event of closure, these costs would be funded from the school's closing balance.

8. Risk and Business Continuity Management

a) Risk(s) associated with the proposal

Risk	Mitigation	Residual Risk
Opposition to proposal from parents and other stakeholders	Full and comprehensive engagement with all stakeholders to explain reasons for proposal, conducted in full accordance with all relevant legislation and guidance on the subject.	Red
Complaints from parents who have applied for a Reception place at the school from Sept 2018	Full and comprehensive engagement with the limited number (5) of parents who have applied for a place. This has taken place and any parent wishing to amend a previously expressed preference has had the opportunity to do so.	Green
Difficulty in finding alternative places for Great Creaton pupils	Early liaison with parents and neighbouring schools. Low pupil numbers at school and sufficient capacity in other local schools. Named School Admissions contact for all Great Creaton parents. All pupils bar two on roll at Great Creaton have been allocated alternative places.	Green

b) Risk(s) associated with not undertaking the proposal

Risk	Risk Rating
Size of school impacts in outcomes achieved by pupils attending the school	Red
Size of school impacts on ability to meet Health & Safety and safeguarding obligations at the school	Red
Pupil numbers on roll further impact on school budget and financial considerations further impact on school's ability to effectively deliver the curriculum from the 2019/20 academic year	Red
Size of school and limited opportunities for career progression impact on school's ability to retain and recruit quality staff, further impacting upon the school's ability to effectively deliver the curriculum.	Red

9. List of Appendices

Appendix 1: Attainment and progress data comparison

Author:	Name: Chris Wickens Team: Strategic Planning
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Background Papers:	13/03/18: Cabinet report (launch off consultation) + appendices 12/06/18: Cabinet report (to issue statutory notices) + appendices Statutory closure proposal: Published 21 st June 2018
Does the report propose a key decision is taken?	YES
If yes, is the decision in the Forward Plan?	YES
Will further decisions be required? If so please outline the timetable here	NO
Does the report include delegated decisions? If so, please outline the timetable here	NO
Is this report proposing an amendment to the budget and/or policy framework?	NO
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications been cleared by the Capital Investment Board (CIB)	YES Name of SFM: Rosemary Pallot NO
Has the report been cleared by the relevant Director?	YES Name of Director: Ian Boll
Has the relevant Cabinet Member been consulted?	YES Cabinet Member: Cllr Victoria Perry
Has the relevant scrutiny committee been consulted?	NO Scrutiny Committee: N/A
Has the report been cleared by Legal Services?	YES Name of solicitor: Duncan Bisatt
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Joni Ager
Have any property Issues been cleared by Property and Asset Management?	YES Name of officer: James Wheeler
Have the Procurement Implications below been referenced in the Paper: <ul style="list-style-type: none"> • Have you evidenced compliance with the Council's Contract Procedures Rules? • Have you made clear in this paper where you are seeking 	NO Name of officer: N/A (This should be Head of Procurement)

<p>Cabinet to approve an exemption from the Contract Procedure Rules and detailed the risks and mitigations?</p> <ul style="list-style-type: none"> • Have you identified any EU or UK legislative risks such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition? • Have you identified the procurement risks associated with a contract? 	
<p>Are there any community safety implications?</p>	<p>NO</p>
<p>Are there any environmental implications:</p>	<p>NO</p>
<p>Are there any Health and Safety Implications:</p>	<p>NO</p>
<p>Are there any Human Resources Implications:</p>	<p>YES – but subject to separate consultation</p>
<p>Are there any human rights implications:</p>	<p>NO</p>
<p>Constituency Interest:</p>	<p>Cllr Cecile Irving-Swift - Brixworth</p>

