

## **Proposal to cease to maintain Mileham Primary School**

### **Final determination report for Director of Children's Services and Chairman of Children's Services Committee from the School Organisation Adviser.**

#### **Background**

Mileham is a primary school taking pupils from the age of 4 through to 11. It was designated by the Department for Education in October 2013 as a rural primary school serving a village. The school has 7 places available in each year group, but is regularly undersubscribed. In September 2014, there were 27 pupils on roll, of whom only 14 live within the designated catchment area of the school. A further 31 children eligible to attend the school are choosing to go to schools elsewhere (11 of these children are on roll at Litcham School). Taking into account parental preference, pupil numbers are predicted to remain below 25 for the next ten years.

The school has not been able to secure sustainable leadership arrangements which ensure high standards of education for the children. Since the Headteacher left his post last summer, a number of schools have been approached, by the Local Authority and by the school with a view to formal collaboration, but it has not been possible to find a suitable partner.

The Governors at Litcham School agreed to enter into a temporary partnership for one year, whilst the options for the future were assessed. Litcham School also agreed for their primary phase leader to be the acting Headteacher of Mileham School.

When asked to review the nature of the partnership arrangement with Mileham in December, the Litcham Governing Body voted in favour of amalgamation.

A six week statutory consultation was carried out, and the proposed closure was discussed at a meeting of the Children's Services Committee on 10 March 2015. The Director of Children's Services agreed to proceed to public notice on the recommendation of the Committee. (Report for the Director of Children's Services together with a copy of the full proposal is attached at Appendix A).

The representation period following publication of the public notice to close Mileham Primary School ended on Sunday 10th May 2015

Nine representations have been received, four from parents and five from local residents, all opposed to the proposals. Reasons for opposition included

- Concern about finding places in other local schools, especially for children with Special Educational Needs (Sections 5 and 9)
- Adverse effect on Mileham as a village community (Section 12)
- Concern about the consultation process, the political make-up of Committee and the role of the designated Decision-maker (Section 1)
- Concern over the future of leadership at Litcham School (Section 13)
- Anger that children who do not choose to transfer to Litcham School will not receive the free transport or financial aid to purchase uniform (Section 13)

In addition, a lengthy formal complaint has been submitted by a parent to the County Council's Complaints Manager "regarding the actions of the Children's Committee".

In coming to a decision on proposals to close a maintained school, the decision maker is asked to address the following factors:

- Consideration of consultation and representation period
- Education standards and diversity of provision
- Demand
- School size
- Proposed admission arrangements
- National Curriculum
- Equal opportunity issues
- Community cohesion
- Travel and accessibility
- Capital
- School premises and playing fields

In addition, where the proposal relates to a rural school, the decision maker needs to give consideration to

1. Alternatives to closure including the potential for federation with another local school or conversion to academy status and joining a multi-academy trust or umbrella trust
2. The scope for an extended school to provide local community services such as childcare facilities
3. The transport implications
4. The overall and long term impact on local people and the community of closure of the village school and of the loss of the building as a community facility

This report, to be read in conjunction with the prescribed information already published (Appendix B), the report to Children's Services Committee, and the report prepared for the Director of Children's Services requesting permission to proceed to Public Notice, will address each factor in turn.

### **1. Consideration of consultation and representation period**

All statutory requirements in relation to the statutory consultation, publication and decision-making were complied with. The guidance for proposers of school closures states that the proposer **MUST** consult with the parents of pupils at the school and the local district or parish council where the school is situated. The guidance also lists bodies which **SHOULD** be consulted, and copies of the consultation document were circulated to all the institutions listed.

As well as issuing a consultation document to each parent at the school, two public meetings were held at the school on 4<sup>th</sup> March 2015, and the minutes were posted on the NCC website. Copies of the consultation document were sent to all the local Parish Councils.

The Children's Services Committee, at its meeting on 10<sup>th</sup> March discussed the proposal, and recommended that the Director of Children's Services agree to proceed to publication of a Public Notice.

Guidance from the Department of Education suggests that consultation should take place during term time, and therefore, publication of the Public Notice was delayed until Monday 13 April, when the full proposal was published on the Norfolk County Council consultation portal and in the Eastern Daily Press. A letter was sent to all governors and parents/carers at Mileham Primary School to alert them to the publication of the Public Notice. The local County Councillor was informed and copies of the notice have been displayed at the school gates in line with regulations.

## **2. Education standards and diversity of provision**

On taking up his post in September 2014, the acting headteacher raised a number of concerns with the Local Authority, as a result of which, the Education Intervention and Inspection Service conducted an audit of the school, which judged the school inadequate in all aspects.

Following this audit, a Warning Notice under Section 60 of the Education and Inspections Act 2006 was issued in October 2014, stating that:

*"The standards of performance of pupils in the school are unacceptably low".  
"There is variability in the school's performance over time and whilst groups of children are small, there is evidence of underperformance over a number of years."*

Analysis of the last three years, shows that only 4 of the 11 pupils who have taken the Key Stage Two tests, achieved the national benchmark of Level 4 in Reading, Writing and Mathematics.

The school remains vulnerable to an adverse inspection and the Local Authority remains concerned about the performance of very small schools which perform well below larger schools

Performance data related to size of school – Key Stage 2% level 4 reading, writing and maths combined:

	<b>2012</b>	<b>2013</b>	<b>2014</b>
Schools < 50 pupils	<b>60.4%</b>	<b>61.8%</b>	<b>67.6%</b>
Norfolk average	69%	71%	74%
National average	75%	75%	79%

Mileham Primary School is a community school, and the designated catchment school is also a community school so the diversity of provision in the area will not change.

## **3. Demand**

The school has been undersubscribed for some years and the total number on roll at the start of any academic year has not exceeded 30 since September 2009. In September 2014, there were 27 pupils on roll, of whom only 14 live within the

designated catchment area of the school. A further 31 children eligible to attend the school are choosing to go to schools elsewhere. Taking into account parental preference, pupil numbers are predicted to remain below 25 for the next ten years.

#### **4. School size**

The guidance states that *"decision makers should not make blanket assumptions that schools should be of a certain size to be good schools, although viability and cost-effectiveness of a proposal is an important factor for consideration. The decision maker should also consider the impact on the LA's budget of the need to provide additional funding to a small school to compensate for its size."*

Norfolk has many high performing small schools but the table presented in Section 2 sets out clearly the reasons why the Local Authority has concerns over the performance of very small schools.

The budgeted cost of running the school for the current academic year 2014-2015 is £9,895 per pupil, which is significantly higher than the county average cost of approximately £4,500 per pupil.

The Local Authority has to question the viability of continuing to fund such a small number of pupils at twice the cost available to other pupils across the county, at the expense of other schools and particularly at a time when funds are under pressure.

#### **5. Proposed admission arrangements**

The designated catchment school for those living in the Mileham catchment area will be Litcham School.

From September 2015, parents will be able to express preferences for alternative schools for their children and the local authority will work with parents to ensure that all children are allocated a place at a local school with available places.

#### **6. National Curriculum**

All maintained schools must follow the National Curriculum.

#### **7. Equal Opportunity issues**

An Equality Impact Assessment has been carried out – attached Appendix C.

#### **8. Community cohesion**

Schools have a part to play in providing opportunities for young people from different backgrounds to learn with, from and about each other. Very small schools such as Mileham Primary School are limited in being able to provide a range of such opportunities.

## **9. Travel and Accessibility**

The designated school for children displaced by this closure is Litcham School. Transport will be provided free of charge for displaced pupils living in the current Mileham catchment area.

## **10. Capital**

Additional accommodation will be provided as necessary on the Litcham School primary site.

## **11. School premises and playing fields**

Suitable outdoor space is available at Litcham School to enable children to play safely outside.

## **12. Additional factors to be considered when the proposal is to close a rural school**

The guidance issued in January 2014 by the DfE on School Organisation changes, states a presumption against the closure of rural schools. This does not, however, mean that a rural school will never close, but that the proposer must provide evidence to the decision maker, that due consideration has been given against each of the points listed in the introductory paragraph.

Norfolk has set out clearly in its strategy A Good School for Every Norfolk Learner its plan for ensuring rapid school improvement across the county of Norfolk. An essential strand of this is securing high quality sustainable leadership which will ensure high standards of education for all.

The substantive headteacher left the school at the end of the summer term 2014. The school was not in a position to afford a high quality leader and the prospect of recruitment being successful was limited. A number of local schools were approached with a view to partnership/federation, and Litcham School Governors agreed to enter into a temporary partnership for one year, whilst options for the future were assessed. Litcham School also brokered for their primary phase leader to be the acting head teacher of Mileham School.

The warning notice (see Section 2) included local authority powers to "require the governing body to enter into an arrangement with another school". At a meeting on 16 December 2014, the governors of Litcham School were asked to consider formal federation with Mileham Primary, but voted instead to consider amalgamation.

Governors have not considered academy status, but it is unlikely that any multi-academy trust working in the county would consider taking in such a small school.

The school offers limited extended services at present, and does not provide childcare facilities.

The transport implications have been considered above.

The Local Authority recognises that the closure of a village school is an emotive issue for the local community and a petition signed by **156 people** from the Mileham community was submitted in response to the initial consultation.

However, it is clear that this generation of parents in the village are choosing to send their children to schools which they feel can offer a broader range of activities and experiences.

Our strategy "A Good School for every Norfolk Learner" sets out our vision to ensure that all learners in Norfolk go to a good or outstanding school. In June 2014, our support for school improvement was judged "effective" by Ofsted, but we know that we still have some way to go. Ofsted told us that we should:

*"Work to increase the proportion of good or better schools still further, with a sharper focus on secondary schools and the smallest primary schools".*

Norfolk County Council recognises that the proposed closure of a village school is an emotive issue for the local community. In our role as the 'champion of children' it is essential that we are prepared to take difficult and potentially contentious decisions where this is necessary to secure the best possible education for all Norfolk children.

### **13. Additional Issues in response to representations**

There will be a change of leadership at Litcham School. However, this will not have any negative effect on the proposed amalgamation which was suggested by the governors of Litcham School, and continues to have their full support.

Litcham School has agreed that financial support will be available for new uniforms. The Local Authority will work with Mileham Primary School governors and individual families who choose not to take up places at Litcham, to negotiate support for new uniforms if needed.

### **Conclusion and recommendation**

- **That the Decision Maker approve the proposal to close Mileham Primary School and amalgamate it with Litcham School.**

## Proposal to cease to maintain the Mileham Primary School

### Determination Notice

I hereby **approve** this proposal to cease to maintain Mileham Primary School on 31<sup>st</sup> August 2015. The reasons for this decision are that:

- The statutory procedural requirements under section 15(1) of the Education and Inspections Act 2006 have been met;
- The proposal meets the criteria laid down in statutory guidance in relation to the likely impact of the proposal on standards and school improvement, local choice and diversity, surplus places, community cohesion and race equality;
- The views of all interested parties, including those most likely to be affected, have been considered.

Signed: Sheila Lock Date: 13 May 2015

Sheila Lock, Director of Children's Services, Norfolk County Council

