



Purpose: For Decision

## Committee report

Committee	<b>CABINET</b>
Date	<b>9 JANUARY 2020</b>
Title	<b>WEST WIGHT SCHOOL PLACE PLANNING – OUTCOME OF PUBLIC NOTICE CONSULTATION ON THE DISCONTINUANCE OF ALL SAINTS’ CE PRIMARY SCHOOL</b>
Report of	<b>CABINET MEMBER FOR CHILDREN’S SERVICES, EDUCATION AND SKILLS</b>

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### EXECUTIVE SUMMARY

1. On 10 October 2019 Cabinet approved:
  - a) the publication of a statutory Public Notice (Appendix 1) in accordance with section 15 of the Education and Inspections Act 2006, the Notice set out the Council’s intention to discontinue All Saints’ CE Primary School, Freshwater with effect from 31 August 2020.
  - b) that officers support the Governing Body of The Federation of Church Schools of Shalfleet and Yarmouth to undertake a period of consultation on the relocation of Yarmouth CE Primary School to the Freshwater site from the start of the 2021/22 academic year.
2. The October report for the approvals set out above, gives the history and context behind the proposals alongside the outcomes of the consultations undertaken to that point with staff, parents, carers, governors, elected members and other key stakeholders.
3. This report sets out the context leading to those decisions and reports back on the representations received during the statutory Public Notice period, and as set-out in paragraph five puts forward a recommendation to Cabinet on the future of All Saints’ CE Primary School.
4. The Governing Body of The Federation of Church Schools of Shalfleet and Yarmouth have consulted on the potential relocation of Yarmouth CE Primary School to the All Saints’ site, this consultation will close on Friday 10 January 2020. Governors will decide on the outcome of their consultation on the 13 January 2020.

5. The recommendation in this report is:
  - The discontinuance of All Saints' CE Primary School, 79 School Green Road, Freshwater, PO40 9AX, from the 31 August 2020.

(This decision only to be implemented if the decision is taken by the Governing Body of the Federation of Church Schools of Shalfleet and Yarmouth on the 13 January 2020 to relocate Yarmouth CE Primary School from the start of the academic year 2021/22 to the Freshwater site).

6. This recommendation ensures that the longer-term educational needs of West Wight children are kept at the heart of the council's decision making. Five primary schools in the West Wight are not sustainable or financially viable; forecast numbers make that very clear. Freshwater is the primary settlement where the majority of children live and therefore the best place to site a well led high-performing primary school. This approach also attracts significant capital investment into the current All Saints' site and wider West Wight community, providing quality, modern school buildings which will last for generations to come.
7. The local authority is the final decision maker in relation to the closure of All Saints' CE Primary School. The decision in relation to the future relocation of Yarmouth CE Primary School as a voluntary aided school sits with the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth. It is therefore not possible for these decisions to be considered together for the purposes of the relevant regulations.
8. As these decisions must be made by two different bodies, it is not possible for them to be made simultaneously, therefore, in this instance, the council will take a decision on the future of All Saints' CE Primary School ahead of the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth taking a decision on the relocation of Yarmouth CE Primary School. This will enable the governing body to make their decision in full knowledge of the council's position.
9. Should the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth take a decision on 13 January 2020 not to relocate Yarmouth CE Primary School to the Freshwater site, the council will move to implement one of the alternative options set-out in section 28 of this report.
10. If the Federation of Church Schools of Yarmouth and Shalfleet decide to the future relocation of Yarmouth CE Primary, transitional arrangements to support the pupils currently at All Saints' will be carefully considered and prioritised to ensure a continued high quality of education.
11. To achieve the relocation of Yarmouth CE Primary School to the Freshwater site it requires both the council and Portsmouth and Winchester CE Diocese to make the site available. The existing buildings and playgrounds are owned by the diocese while the playing field are owned by the council. The diocese confirmed their agreement to the proposed relocation prior to the 10 October Cabinet Report.

12. The council is engaged in very positive discussions with the Department for Education over a multi-million-pound investment project on the All Saints' site. The proposed plan as part of the Government's Priority School Building Programme 2 (PSBP2) would see most of the existing school structure demolished and replaced with new build facilities. It is currently planned that works on the All Saints' site would commence in the summer of 2020 and complete in the summer of 2021, enabling at that point the relocation of Yarmouth CE Primary School to the Freshwater site.

## BACKGROUND

13. The five schools that make up the West Wight School Place Planning Area (SPPA) are All Saints' CE Primary, Shalfleet CE Primary, Yarmouth CE Primary, Brighstone CE Primary and St Saviour's Catholic Primary – together they currently have admissions arrangements to offer 119 places at Year R, although some sites have greater capacity if required. Over recent years surplus capacity across the five schools has been steady at around 30 places, approximately 25%.
14. Over the past eight months the council has undertaken four periods of public consultation on how to achieve the required reduction in the number of primary school places on the West Wight:
- The initial consultation, 4 March 2019 to 15 April 2019 focused on a preferred option of 'The closure of All Saints' CE Primary School and expansion of St Saviour's Catholic Primary School to one form of entry (fe)'. This period of consultation considered the alternate options and views put forward of the registered parents of registered pupils, the relevant parish council and all other persons as appeared appropriate to consult.
  - Having fully considered the outcome of this consultation, including views raised by consultees, a second period of consultation was approved and undertaken between 14 May 2019 and 11 June 2019. This set out a new preferred option of 'The closure of All Saints' CE Primary School, expansion of Yarmouth CE Primary School (if required) and its subsequent relocation to the All Saints' site'.
15. On 11 July 2019 Cabinet approved the commencement of a further phase of consultation (Public Notice period) from 19 July 2019 to 20 September 2019. The Public Notice set out the council's intention to:
- close All Saints' CE Primary School with effect from 3 April 2020,
  - temporarily increase (if required) the capacity of Yarmouth CE Primary School,
  - relocate Yarmouth CE Primary School to the All Saints' site following investment through the Department for Education (DfE) Priority Schools Building Programme (PSBP2).
16. As detailed in the Cabinet report of the 10 October 2019 the council suspended the formal consultation (Public Notice) it issued on the 19 July 2019 following

receipt of a judicial review pre-action letter, which challenged the council's power to implement all the elements set out in the July report.

17. A final period of consultation was commenced on the 25 October 2019 with the issuing of Public Notice as set out in section 1 above.
18. The intended outcomes of the West Wight School Places review are to:
  - Reduce the number of schools serving West Wight from five to four. Data for the area currently shows there are around 90 pupils in a year group which is forecast to fall to approximately 75 pupils in a year group. Having five schools is an inefficient use of limited available resource, reducing this to four schools would provide greater financial stability to those remaining;
  - Reduce the number of surplus places in the West Wight;
  - Place the four remaining schools in the locations with the highest density of children living in the local communities;
  - Secure the multi-million pound investment from DfE at the Freshwater site to create a modern school in attractive buildings and surroundings;
  - Continue the focus on school improvement leading to high quality outcomes for all pupils in the West Wight;
  - Create a solid foundation for future school place planning requirements; and
  - Reduce the need for Freshwater children to be driven to schools outside of Freshwater.
19. The council has been working with the DfE on a programme of capital investment (PSBP2) that has sought to address some of the highest priority condition issues in the Island's schools. All Saints' CE Primary School in Freshwater is a site that, at the outset of this programme, was recognised as a location for investment.
20. Work continues to develop a scheme that will best address the identified building needs on the Freshwater site. While at this point it is not possible to provide a definitive outcome from this work it is expected that investment in the site if taken forward will be several million pounds and will create a modern high quality education facility that meets the needs of West Wight pupils for many years to come.
21. The council has limited financial resources to invest in the maintenance of the schools' estate. Up to as much as £2 million ideally needs to be invested across the five West Wight primary schools. The proposed investment of new funds from the DfE would release some of the financial burden and help the council target its limited resources to the areas of greatest need. Further to this significant benefit, it also delivers wider employment and business opportunities for the Island.

## STRATEGIC CONTEXT

22. The recommendation set out in section 5 promotes the long term raising of educational achievement as pupils would be educated in 21<sup>st</sup> century buildings more suited to modern teaching and learning. Raising educational achievement is a priority of the council as set out in the council's Corporate Plan and Education Strategy Document "Delivering Educational Excellence".

## PUPIL NUMBERS IN THE WEST WIGHT

23. The most recent school demand forecast (Autumn 2019) shows a growth in the forecast pupil numbers from 2022-23 when compared to the forecast data set (Spring 2019) outlined in previous Committee reports. This is due to the update of NHS data, which forms the base line of the forecast model.
24. The table below shows the Year R forecasts at Spring 2019 and Autumn 2019 – this now identifies a need for 75 places per year group across the West Wight from 2022-23:

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Spring 2019	84*	90	84	59	59	59
Autumn 2019	84*	82*	75	58	74	74

\*actual numbers

25. The table below shows each school's net capacity, current number on roll, current Published Admissions Numbers (PAN) at Year R and proposed PAN for September 2021 for each school:

School	Net Capacity of School	Number on Roll Oct 2019	PANs Sept 2019	Number in Yr R Oct 2019	PANs Sept 2020	Proposed PANs Sept 2021
Brighstone CE Primary	210	119	30	16	30	15
All Saints' CE Primary	210	74	30	12	15	15
St Saviour's RC Primary	140	138	20	20	20	20
Shalfleet CE Primary	168	180	24	19	24	24
Yarmouth CE Primary	105	92	15	15	15	15
<b>TOTAL</b>	<b>833</b>	<b>603</b>	<b>119</b>	<b>82</b>	<b>104</b>	<b>89</b>

26. The table above shows the reduction of available places being made at the five schools. These are organisational changes restricting the future intakes of pupils rather than addressing the over-supply of school accommodation. This addresses the removal of surplus places but retains five small schools which, as previously noted, is not as financially viable as reducing to four schools in the best possible locations to meet demand for school places from West Wight families.

27. The forecast number of Year R children in the West Wight planning area has increased in the updated forecasts. Five schools with a combined admission number of 119 are no longer required to support the less than 3fe primary population living within the West Wight SPPA; going forward forecasts show a need to plan for approximately 2.5 forms of entry (75 places). Maintaining four schools, in the proposed locations, providing 3 forms of entry of capacity is the best configuration to meet the forecast demand. As has already been mentioned, some schools have more physical capacity than is presented in their admission number and so additional growth in the future if required can be accommodated.

### OPTIONS

28. As outlined in the October report, in order to achieve the intended outcomes, namely reducing five schools to four and thereby addressing the surplus primary school places in the West Wight, the following options were considered by the council to be viable:
- To close All Saints' CE Primary School and for the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth to propose the relocation of Yarmouth CE Primary School to the Freshwater site supported by Portsmouth and Winchester CE Diocese and subject to the completion of a period of consultation.
  - To close Yarmouth CE Primary School and to maintain All Saints' CE Primary School; subject to further periods of consultation.
  - To close Yarmouth CE Primary School and All Saints' CE Primary School and to open a new academy on the Freshwater site subject to further periods of consultation.

### PUBLIC NOTICE CONSULTATION

29. Over the past eight months the council has undertaken four periods of public consultation on how to achieve the required reduction in the number of surplus primary school places in the West Wight. Details of three of these consultations have already been reported.
30. On 10 October 2019 Cabinet approved the publication of a statutory Public Notice (Appendix 1) in accordance with section 15 of the Education and Inspections Act 2006, the Notice set out the Council's intention to discontinue All Saints' CE Primary School, Freshwater with effect from 31 August 2020.
31. The Public Notice was published on 25 October 2019 with representations invited by 29 November 2019. The Notice set out the council's intention to close All Saint' CE Primary School and therefore, representations made during this period should have been related to this matter only.
32. A total of 38 individual responses were received by midnight on 29 November 2019, with an additional three received after this date. These can be summarised as follows:

	Number of Responses
Objection to closure of All Saints' CE Primary School	16
Support of closure of All Saints' CE Primary School	1
General comments re closure of All Saints' CE Primary and transition arrangements	5
Concern / objection relating to future relocation of Yarmouth CE Primary School	25
Support of closure / future relocation of Yarmouth CE Primary School	3
Support to close or relocate Shalfleet CE Primary as alternative to relocating Yarmouth CE Primary and/or closing All Saints' CE Primary	16

33. In addition to the above representations, the petition from May/June 2019 against the closure of Yarmouth CE Primary School was also re-submitted. This petition was recorded at the time in the consultation outcomes within the Cabinet report published in July 2019.
34. The objections received to the Public Notice relating to the closure of All Saints' CE Primary school included the following comments:
- Federate or amalgamate All Saints' CE Primary with Yarmouth CE Primary School keeping both sites open (5);
  - Federate All Saints' CE Primary with Brighstone Primary (2);
  - Close Shalfleet CE Primary rather than All Saints' in order to manage surplus places (4);
  - All Saints' CE Primary has recently received 'Good' in Ofsted inspection (Sept 2019) so no longer poorly performing school (4);
  - Yarmouth has not had an Ofsted Inspection since 2013 but All Saints' rating of 'Good' is from September 2019;
  - All Saints' CE Primary School achieved one of highest SATs results on Island in summer 2019 proving it provides good educational outcomes (3);
  - Yarmouth CE Primary leadership and local community not supportive of the proposed future relocation of Yarmouth CE Primary to All Saints' site and this will affect pupils, staff and future acceptance of school (4);
  - Freshwater is the right location due to population and local facilities for a good performing school and therefore All Saints' should be retained;
  - The most recent NHS data shows only short-term dip in future school-aged population;
  - With reduction in PAN at All Saints' and proposed future reduction at Brighstone, surplus places already removed (3);
  - The proposed future PAN at rebuilt school at Freshwater site is 210, more than current combined Yarmouth & All Saints' number on roll so potentially

increasing surplus places and potential knock-on effect on other local schools;

- West Wight Schools do not have capacity to take All Saints' pupils if it closes in 2020 (2);
- Closing a good school All Saints in 2020, forces pupils to go to a 'Requires Improvement' school at Brighstone;
- If All Saints' closes in 2020, transport to my nearest school will cost £15 per day;
- Consultation / Statutory Process followed by Council is flawed / not been followed correctly (5);
- Retain both All Saints' and Yarmouth and rebuild as smaller school (3);
- Traffic/drop off at All Saints' school dangerous;
- Retain All Saints' as smaller school and give it specialism such as IT

Seventeen of the responses submitted during the representation period were objecting to the proposed future relocation of Yarmouth CE Primary School, not the closure of All Saints'. Sixteen of the responses received put forward a proposal for closing or relocating Shalfleet CE Primary School as an alternative to moving Yarmouth CE Primary or closing All Saints' CE Primary.

Set-out at Appendix 2 are the council's responses to the key points listed above.

35. In addition to the representation period in relation to the proposal to discontinue All Saints' CE Primary School, the Governing Body of the Federation of the Church Schools of Shalfleet and Yarmouth has undertaken a period of consultation on their proposed future relocation to the Freshwater site. It should be noted that no statutory guidance exists when moving a school less than two miles. The outcome of this consultation will be known following a Governing Body meeting on 13 January 2020.

#### FINANCIAL / BUDGET IMPLICATIONS

36. The main budgetary consideration would be for the council to work with the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth on their forward budget planning to ensure that children can access a high-quality education. As most funding is determined on a per pupil basis, the school's budget share would be enhanced due to any increased numbers on roll following the closure of All Saints' CE Primary.
37. At the point of closure any deficit sitting with All Saints' CE Primary would be transferred to the council as a liability. It would not in any way be passed on to Yarmouth CE Primary School. The local authority is working closely with All Saints' CE Primary currently, to work through reducing the existing deficit to minimise the risk to the authority. The current estimated cumulative deficit for 2019/20 financial year is expected to be in the region of £130,000 and the local authority has identified a dedicated resource to support the school with accounting and budgeting responsibilities for the foreseeable future. In line with the Scheme for Financing Schools, a refreshed mid-year budget plan is being worked on to quantify any possible deficit if closure progresses and assess the



financial position of the school. When refreshed the local authority level of oversight and spending controls will be reviewed.

## HR IMPLICATIONS

38. Meetings with All Saints' staff have been held during earlier consultation periods of this review. Staffing implications will be further considered subject to the outcome of this report. This will be done in accordance with the council's and School's Restructuring, Redundancy and Redeployment Policy, including a duty to consult with those staff potentially affected by any proposed closure or transfer. Details of staff consultations will be set out, including the timetable for formal consultation with staff and unions. Any TUPE implications will also be considered at that stage.

## ADMISSIONS

39. The statutory notice stated the council would provide the opportunity for parents to apply for alternative school places should a decision be taken to close All Saints' Primary School from 31 August 2020. This activity can be done at any time, parents can use the online process, <https://www.iwight.com/iwForms/form.aspx?k=LYSA> to submit an application. Families making an application will normally be expected to take up the offer of a place within four weeks.
40. For a new school place in September 2020 parents should apply before 27 June; offers are made for September starts on 29 June. At the beginning of June, the council's admissions team will contact parents of children still on roll at All Saints' Primary School to advise them they need to apply for a new school place for their child for September. These families will also be advised on 29 June of their school place offer. Families whose preference school cannot be offered and those who have not made an application will be allocated a school place.
41. The council intends that most children will be admitted to schools where places had existed in the classes that support the year group. However, if any year groups are full across all West Wight schools, the Council may ask schools to admit above their preferred maximum class size.

## TRANSPORT

42. Where children leaving All Saints' Primary School move to a school that is their nearest suitable provision they may be entitled to local authority funded transport under the Isle of Wight Council's school transport policy. If All Saints' Primary School closes the authority will provide/investigate providing transport from the All Saints' site to Yarmouth Primary School site should that be required (and the reverse journey after school). Children who move from All Saints' Primary School to Yarmouth Primary School will be eligible to use that transport for free.

## GOVERNANCE

43. The recommendation in this report would see the governing body of All Saints' Primary School ceased at point of school closure. The terms of office for the All

Saints' governors would cease on 31 August 2020, with the governors being relieved of their statutory governance responsibilities on this date.

44. The current governance arrangements for the Federation of Shalfleet and Yarmouth schools will remain unchanged. Should the federated board of Shalfleet and Yarmouth schools take the decision to relocate Yarmouth Primary School to the Freshwater site, the board may wish to recruit further governors with appropriate skills to represent the communities the school serves. This could be achieved either by recruiting to existing governor vacancies on the federated board, or alternatively by reconstituting the governing board to create additional governor posts. Advice and approval from the LA and the diocese should be sought by the federated board, in the event of it considering a reconstitution.

### CARBON EMISSIONS

45. The recommendations set out in this report would ensure the four remaining schools in the West Wight are located within the communities with the highest density of pupil population therefore negating the need for unnecessary car journeys.

### RURAL SCHOOLS

46. Guidance states that the council should adopt a presumption against the closure of rural schools. However, this does not mean that a rural school will never close, but the case for closure should be strong and a proposal must be clearly in the best interests of educational provision in the area
47. When producing a proposal to close a rural primary school, the proposer must consider:
  - the likely effect of the closure of the school on the local community; the closure of All Saints' School will be mitigated by the proposed relocation of Yarmouth CE Primary School on to the All Saints' site following significant investment in to the site by the DfE. If approved by the Governing Body of the Federation of the Church Schools of Shalfleet and Yarmouth in January 2020, Yarmouth CE Primary School could be fully operational on the Freshwater site, providing a range of community opportunities from September 2021.
  - the proportions of pupils attending the school from within the local community i.e. is the school being used by the local community; All Saints' has not been the school of choice for a significant part of its community for several years, with up to 75% of eligible pupils attending other schools. It is expected that its closure and potential subsequent relocation of Yarmouth CE Primary will reverse this trend.
  - education standards at the school and the likely effect on standards at neighbouring schools; education standards at the school have not been good in recent years however, outcomes improved significantly in 2019 and an Ofsted inspection in September 2019 rated the school 'Good'. Its proposed closure will have no impact on standards at neighbouring schools.
  - the availability, and likely cost to the local authority, of transport to other schools; the closure of All Saints' could incur some short-term additional

transport costs for the local authority. It is expected these costs would dissipate over time.

- Whether the school is now surplus to requirements (e.g. because there are surplus places elsewhere in the local area which can accommodate displaced pupils, and there is no predicted demand for the school in the medium to long term); There is significant surplus provision in the existing five West Wight schools. Even with proposed closure of All Saints' there will still be a level of surplus provision in the remaining four schools. However, it is a manageable level and also allows for any increased future demand to be met.
- any increase in the use of the motor vehicle which is likely to result from the closure of the school, and the likely effects of any such increase; Currently many families from Freshwater travel away from the area for their educational needs. The closure of All Saints' and potential subsequent relocation of Yarmouth CE Primary School will reduce this trend therefore, decreasing the overall use of the motor vehicle for the school run.
- any alternative to the closure of the school; The local authority believes the closure of All Saints' school provides the best opportunity to stabilise the educational offer on the West Wight. Forecast pupil numbers cannot support five schools currently or going forward and, it is possible that future intervention may be needed to reduce overall school numbers further in the area. Numerous alternative options have also been looked at by the council and are set-out in detail in the previous West Wight reports.

## LEGAL IMPLICATIONS

48. The council has the power to make a proposal to close a maintained school under the *Education and Improvement Act 2006*, in conjunction with the *School Organisation (Establishment and Discontinuance of Schools) Regulations 2013*. The council is required to have regard to statutory guidance issued by the DfE when deciding whether a maintained school should close. The relevant statutory guidance is the "*Opening and Closing of Maintained Schools*" dated November 2018 and "*The making significant changes (prescribed alterations) to maintained schools*" dated October 2018.
49. In deciding to discontinue a maintained school, the council must be satisfied that there are sufficient surplus places elsewhere in the local area to accommodate displaced pupils and the likely supply and future demand for places in the medium and long term. The Council should take into account the overall quality of alternative places in the local area and the popularity of other local schools.
50. The local authority is empowered to propose the closure of all categories of maintained school. Where the local authority does make such a proposal it is also decision maker. A right of appeal to the Schools Adjudicator is in place, this enables the relevant diocese, school governing body or trustees to contest the decision taken by the local authority. There is no right of appeal on determinations made by the Schools Adjudicator.

51. While the council intends to support the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth in relocating Yarmouth CE Primary School to the Freshwater site, it must be mindful that there is no general principle that a local authority can give direction to a voluntary aided school as to how it should perform its functions; to do so, a specific power must be identified. No such power exists for relocation under two miles and therefore this decision must be made by the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth. No statutory proposal is required from the Governing Body as long as the relocation is less than two miles as such a move is therefore not a 'prescribed alteration'.

### EQUALITY AND DIVERSITY

52. The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or believe, sex and sexual orientation.
53. The proposals being put forward by the council in this report; the closure of All Saints' CE Primary School and supporting the proposal by the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth to relocate Yarmouth CE Primary School will not have a negative impact on equality and diversity.
54. The policies of the council and the Governing Body of the Federation of the Church Schools of Shalfleet and Yarmouth in relation to equal opportunities and eliminating discrimination will continue to apply should the proposed changes be approved.
55. Council officers will work closely with the headteacher and governing body to assess and support students and their families / carers of both schools should the proposed changes be approved.
56. An Equality Impact Assessment (EIA) has been undertaken and is appended with this report at Appendix 3.

### PROPERTY IMPLICATIONS

57. The recommendation in this report would bring significant external investment into the schools' estate via the government's PSBP2. This level of investment would not be achievable through any other mechanism currently available to the council.
58. By bringing this level of investment into the schools' estate on the West Wight it provides some opportunity to re-direct future capital resources to deal with other known maintenance liabilities.
59. Opportunities would also become available around the future use of the Yarmouth site. This would need to be discussed between the council and

Portsmouth and Winchester CE Diocese as freehold owners and the wider Yarmouth community in order to ensure its full potential is explored and understood.

## IMPLEMENTATION

60. Subject to the recommendation in this report being approved by Cabinet and the Governing Body of the Federation of the Church Schools of Shalfleet and Yarmouth taking a decision to relocate Yarmouth CE Primary School to the Freshwater site two implementation groups will be formed.
61. The first implementation group will work with the governors and headteacher at All Saints' CE Primary to ensure that the closure of the school is carefully overseen. It will meet monthly or more regularly if required. It will be chaired by a senior education and inclusion officer. Representatives will include but not be limited to governors, headteacher, diocese and local authority officers with relevant expertise in HR, property, finance and school improvement. The group will ensure that the risks associated with the final recommendation are identified, managed and fully mitigated where possible. The group will primarily focus on:
- the wellbeing of all pupils and their families affected by the recommendations in this report;
  - ensuring the highest quality of education in the lead up to the school's closure;
  - ensuring any transition of pupils is as seamless as possible and any disruption to education is minimised;
  - supporting the discussion as to where All Saints' pupils who wish to join Yarmouth are educated during the transition phase - to remain on the All Saints' site or temporarily relocate to the Yarmouth site;
  - the support of all staff;
  - regularly updating parents and other stakeholders;
  - the financial, property and asset management implications of the closure.
62. The second implementation group will work with the head teacher and governing body of The Federation of the Church Schools of Shalfleet and Yarmouth to ensure that all impacts of the proposed relocation of Yarmouth CE Primary School are carefully overseen. Representatives will include but not be limited to governors, headteacher, diocese and local authority officers with relevant expertise in HR, property, finance and school improvement. Many of the decisions that need to be taken if the recommendation in this report is approved and the Governing Body take a decision to relocate Yarmouth Primary School to the Freshwater site, will be for the governing body to decide upon after taking professional advice from the headteacher. The aim of the implementation group will be to ensure that the school has access to the highest quality advice when arriving at those decisions. The local authority will work closely with the governing body to ensure the decision is implemented carefully with a focus on:

- the wellbeing of all pupils and their families impacted by the recommendations in this report;
- ensuring induction arrangements for children being admitted to Yarmouth CE Primary so that the children feel fully integrated;
- ensuring that the highest possible teaching and learning standards are maintained;
- carefully considering the available options in relation to where existing All Saints' pupils who wish to join Yarmouth are educated during the transition phase - to remain on the All Saints' site or temporarily relocate to the Yarmouth site;
- the support of all staff;
- regularly updating parents and other stakeholders;
- looking at accommodation needs in the period leading up to the relocation of Yarmouth CE Primary onto the Freshwater site;
- considering the need for any interim transport needs during the transition period;
- the financial, property and asset management implications of the relocation of Yarmouth CE Primary;

## RISK MANAGEMENT

63. The council has the power to propose the closure of all categories of maintained school. Where the local authority does make such a proposal it is also decision maker. A right of appeal to the Schools Adjudicator is in place, this enables the relevant diocese, school governing body or trustees to contest the decision taken by the local authority. There is no right of appeal on determinations made by the Schools Adjudicator. The statutory guidance on school relocation does not apply in the case of the proposal to relocate Yarmouth CE Primary School as the distance is under two miles.
64. Should the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth take a decision on 13 January 2020 not to relocate Yarmouth CE Primary School to the Freshwater site, the council will move to implement one of the alternate options set-out in section 28 of this report.
65. The council is clear that the DfE are fully committed to significant capital investment in to the Freshwater site and, continue to work very pro-actively with the council to ensure this investment is achieved. If the DfE were to withdraw this investment stream the council would have to seek alternate funding sources internally and externally to enable it to undertake the most critical elements of the work required on the site.
66. The council is required to pro-actively and effectively manage surplus capacity and performance across all the schools it is responsible for. Failure to do so in this instance would lead to lost opportunities and continuing uncertainties for all involved:

- As surplus numbers increase over the coming years all five schools will be faced with ever greater financial challenges, potentially leading to job losses and a reduced ability to offer a wide and varied curriculum.
- Parents, carers, staff and pupils would continue to be faced with uncertainties around the availability and quality of the educational offer on the West Wight.
- The capital and revenue resources available to the council would not be sufficient to support all five schools.
- Significant investment in the Freshwater site from DfE would be lost.

The proposed risks set-out above are mitigated by the recommendation in this report. The overall number of schools serving the area is reduced in-line with future need, located where a majority of pupils live and ensure performance and standards can be effectively addressed and continuing uncertainties for the West Wight community removed.

## EVALUATION

67. The current number of primary school places in the West Wight is unsustainable leading to the inefficient use of resources in the area. If used more effectively these resources could be better targeted to improving the educational outcomes of the local children rather than maintaining the schools' estate which provides for and maintains the oversupply of places. The council must look to the needs of the West Wight's children, not only now, but also long into the future in coming to its final decision about how to address the oversupply of places.
68. The recommendation set out in this report is felt to provide the best opportunity to secure long term educational improvement and financial stability for West Wight families and schools.
69. Officers from the Local Authority met with the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth on the 22 August 2019 and asked that they would be prepared to consider proposing and progressing the relocation of Yarmouth CE Primary School. The subsequent proposal of the Governing Body of The Federation of the Church Schools of Shalfleet and Yarmouth to relocate Yarmouth CE Primary School to the Freshwater site, subject to outcome of their consultation, ensures primary provision with strong and proven leadership is secured within the most densely populated area of West Wight. This proposal is fully supported by the council and the diocese.
70. Now that a proposal for relocation has been put forward by the governing body, the limited guidance that covers school relocations can be followed.
71. The recommendation in this report keeps the longer-term educational needs of West Wight children at the heart of its decision making. Five primary schools on the West Wight cannot be sustained; forecast numbers make that very clear. Freshwater is the primary settlement where the majority of children live and therefore the best place to site a well led high performing primary school. In contrast Yarmouth contains very few children of primary school age. This option

also attracts a large capital investment into the West Wight community to secure modern buildings which will last for generations to come.

### **RECOMMENDATIONS**

72. That the Cabinet Member for Children's Services, Education and Skills recommends in accordance with section 15 of the Education and Inspection Act 2006 and School Organisation (Establishment and Discontinuance of Schools) Regulation 2013 that Cabinet approves the following:

- The discontinuance of All Saints' CE Primary School, 79 School Green Road, Freshwater, PO40 9AX, from 31 August 2020.

(This decision only to be implemented if the decision is taken by the Governing Body of the Federation of Church Schools of Shalfleet and Yarmouth on 13 January 2020 to relocate Yarmouth CE Primary School from the start of the academic year 2021/22 to the Freshwater site).

### **APPENDICES ATTACHED**

73. The following appendices are included with this report:

[Appendix 1: Public Notice](#)

[Appendix 2: Response to comments made within objections to public notice](#)

[Appendix 3: Equality Impact Assessment](#)

### **BACKGROUND PAPERS**

74. The four following reports provide background information:

01 March 2019 West Wight School Place Planning

13 May 2019 West Wight School Place Planning (Consultation Outcomes)

11 July 2019 West Wight School Place Planning (Second Consultation Outcomes)

10 October 2019 West Wight School Place Planning Update

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