

CHESHIRE EAST COUNCIL

REPORT TO: CABINET

Date of Meeting: 14 February 2011
Report of: Lorraine Butcher. Director of Children and Families
Subject/Title: Outcome of the formal consultation on the proposal to close Macclesfield High School and permission for the publication of statutory notices
Portfolio Holder: Cllr Hilda Gaddum

1.0 Report Summary

- 1.1 This report details the background to the proposal and the outcome of the recent formal consultation on the proposed closure of Macclesfield High School upon the establishment of an Academy for September 2011. The report seeks permission from Members to publish statutory notices.

2.0 Decision Requested

- 2.1 Cabinet are recommended to authorise the publication of statutory notices for the closure of Macclesfield High School on 31 August 2011.
- 2.2 The notice, if authorised, will confirm within the explanatory notes that the closure of Macclesfield High School will be approved to take effect only if by the date of closure an agreement has been made under section 482(1) of the Education Act 1996 for the establishment of an Academy to replace the School.

3.0 Background

- 3.1 There are four mainstream secondary schools in Macclesfield, each providing education aged 11 to 18. These are:

1. Macclesfield High (formed in 2007 from the relocation of Henbury High School onto the Macclesfield Learning Zone site);
2. The Fallibroome Academy (formerly Fallibroome High School)
3. All Hallows Catholic College
4. Tytherington High School

The establishment of Macclesfield High on the Learning Zone was a joint venture with Macclesfield College and Park Lane Special school and was established with £15,948,507 investment. The Sixth Form (LZ6) provision on the Macclesfield High School site is a shared provision with Macclesfield College.

- 3.2 The current number of places available in the four mainstream high schools, including their sixth form provision is 4766. An analysis of the latest data shows

that the number of pupils attending these schools has fallen over the past years from 4981 pupils in 2002 to 4571 in October 2010 (taken from the Autumn Term School Census Returns). This reduction is forecast to fall again by September 2017 to 4380 resulting in an 8% surplus forecast for the town. This forecast has been calculated using the Council's pupil forecasting methodology, which takes into account the number of pupils on roll at the primary schools and the pattern of transfer to secondary schools to calculate the average for the last three years. This produces a percentage 'feeder school transfer rate' for each primary school. These percentage 'feeder school transfer rates' are then applied to the number of pupils actually on roll at the primary schools in January to generate the future number of pupils which it is expected will feed from each of these primary schools into the secondary schools. As well as using the primary school feeder transfer rates, an estimate of the number of pupils admitted to secondary schools from non-Cheshire East primary schools based on past data is included in the calculation. The projected estimates for numbers on roll in future years are these 'feeder school transfer rates' rolled forward, i.e. Year 7 in 2010 becomes Year 8 in 2011, Year 9 in 2012 and so on.

- 3.3 It is important to note that the pattern of parental preference in the Macclesfield area is significant in that the majority of surplus places are at Macclesfield High School; whilst the number of pupils attending Macclesfield High School in October 2010 of 745 produces a surplus for the school of 26%, the number on roll is forecast to fall further to 708 by 2017 (based on the pupil forecasting methodology), which if realised, would result in 30% surplus places at the school. The indications are that this surplus figure could be much greater if no action is taken with a potential for the number of surplus places to reach as much as 67% by 2017 if the other three mainstream schools continue to receive applications in line with their published admission numbers; this forecast is based on the current pattern of parental preference in the area and the assumption that if this continues, the intakes into the other three high schools into year 7 in September (i.e. at the normal point of entry to the school) will be maintained.
- 3.4 The removal of surplus places is a government requirement since it leads to a significant financial drain on school budgets and an inefficient use of resources. Current admissions law allows published admission numbers to be higher than the number indicated by the net capacity calculations and this can result in a school having a negative surplus. It is important to note therefore, that the current number of places available for admission into year 7 is 840 and that the proposal to establish an Academy with an admission number of 120 places would reduce this to 780 with a potential intake of 3900 pupils (780 across five year groups) across the four mainstream high schools. Looking at the forecasts for the five year groups Y7-11 (11-16 year olds), the projections show that at October 2010 there were 3717 pupils on roll at the four high schools and by 2017 it is forecast that this will fall to 3589. In order to facilitate a 5-6% surplus across the area to allow for movement and to increase opportunities for parental choice, the Local Authority would need to provide approximately 3807 places. This is based on an average across the years 2010-2017. Admission numbers are part of an admission authority's admission arrangements. Admission authorities can propose changes to published numbers; taking into

account the net capacity of the school, demand for places and to manage surplus at the school, as part of the statutory admission consultation process.

- 3.5 The three year trend in the academic standards at Macclesfield High School, following its creation as a new secondary school in September 2007, has been downward. This trend culminated in the school only just achieving above the 30% national baseline in terms of 5+ A*- C including English and Maths (actual result 31%) in Summer 2009. The resulting decision by the Local Authority and the DFE to include the school within the National Challenge programme was a vital and necessary step to significantly accelerate improvements in pupil attainment. Leadership and Management support from Tytherington High School resulted in the school not being placed in special measures following an OfSTED Inspection in February 2010. The school achieved National Challenge Target in summer 2010 examinations and a recent OfSTED monitoring visit judged the school to be making good progress.
- 3.6 The level and range of interventions have been significant and all have contributed to the improvements in attainment as seen in the Summer 2010. There has been a positive rise in the 5+A*-C including English & Maths rate up to 42% (11% rise) which has brought improved confidence in the school and the local community to deliver high quality learning. Whilst these improvements need to be celebrated, there is still a considerable amount of further work to be undertaken throughout the school to fully embed the progress seen and create a consistent and sustainable rate of school improvement in terms of the costs of external interventions into the school during 2009-10 and 2010-11. This currently stands at £445,000, which includes National Challenge funding of £161,000, Local Authority Intervention funding of £77,000, Schools Causing Concern funding of £166,000 and 1:1 Tuition funding of £41,000. In addition to this, the school has benefited from over 20 days of direct support and monitoring from the National Challenge Adviser, external monitoring visits from Ofsted Inspectors as well as direct curriculum and behavioural support from LA Officers. Again these costs have been met by the Authority to ensure improvement in standards of attainment. The view of the Local Authority, and the Evaluation Panel convened to evaluate all options for change against a set of agreed fundamental criteria, is that further sustainable improvement would be best delivered with external support and an appropriate sponsor.
- 3.7 In order to address these issues, at the Cabinet Member (Portfolio Holder) meeting of 24 June 2010 permission was requested to proceed with formal consultation on a proposal to close Macclesfield High School with effect from 31 August 2011 and to expand Tytherington High School to deliver 11-18 provision across the two sites from September 2011. The resolutions of the meeting are set out below:
- 1 The decision on the request for formal consultation be deferred to allow for further informal consultation up until Friday, 8th October 2010;
 - 2 all other options be explored in greater depth;
 - 3 the advice of the Cheshire East Admissions Forum be sought on the admission arrangements in Macclesfield;
 - 4 further discussions take place with the MP, Mr David Rutley, in the light of new information from the Government;

- 5 any other suggestions from the public be examined; and
 - 6 these proposals lead to a statutory period of consultation on revised options for consideration at the beginning of November 2010.
- 3.8 Further informal consultation was therefore undertaken and feedback received by the agreed date of 8 October was summarised in a report presented to the Cabinet Member with responsibility for Children and Families on 8 November 2010.
- 3.9 Informal consultation delivered 40 options for consideration. These were evaluated against a set of agreed fundamental criteria and this was reported to the Cabinet Member for Children and Families at the Portfolio Holder's meeting on the 8th November. Upon completion of the evaluation process the single preferred model was the establishment a new 11-16 Academy with Macclesfield College of Further Education as sponsor and deliverer of post 16 provision on an integrated 11-18 site. The evaluation panel concluded that this option satisfied all fundamental criteria (those of achieving better outcomes for children and young people, reducing surplus places due to falling roles, being affordable, deliverable and sustainable) and presented the most logical solution with the greatest potential to deliver further improvement in Achievement and Attainment for children and young people.
- 3.10 At the meeting of 8 November Councillor Gaddum, Cabinet Member with responsibility for Children and Families Services decided to approve the commencement of statutory formal consultation on the proposal to close Macclesfield High School upon the establishment of an 11-16 Academy on the Macclesfield High School site with a pupil admission number of 120 and agreeing to the continuation of liaison with the Department for Education in respect of the establishment of an Academy for the site, acknowledging that the Council's preferred Academy sponsor would be Macclesfield College.
- 3.11 To progress the development of an Academy it has been necessary to liaise with the Department for Education (DfE) to agree an appropriate sponsor, which was acknowledged at the meeting of 8 November. On 11 November a Statement of Intent was issued by the Office of the Schools Commissioner to the Local Authority. This confirms that partnerships have been established and that the sponsor intends to work with the Local Authority in taking forward the Academy Project.
- 3.12 The Sponsor and the Local Authority have continued to work together on the preparation of a formal Expression of Interest (EoI), which was submitted for Ministerial consideration at the DfE on 11 January. The purpose of the EoI is to demonstrate the need for a new Academy and for the sponsor to provide more details about the proposed Academy. Once an EOI has received Ministerial approval the project can move to the feasibility stage.
- 3.13 The identified sponsor (Macclesfield College) held a 'drop in' style event on 12 January to engage with the community and facilitate consultation with stakeholders as to the ethos, character and operation of the potential new Academy. 20 people attended the event. Local Authority officers were available to provide information on the school closure proposal and to provide a final

opportunity for interested parties to feedback their views ‘face-to-face’ before the Local Authority’s consultation closing date of 14 January. Feedback received by the Local Authority on the College’s proposed Academy has been collated and forwarded to the College to inform its own consultation process in order that views expressed by interested parties can be taken into account in developing proposals further.

- 3.14 If closure is approved, the LA will work with the sponsors and DfE to ensure smooth transition between the predecessor school and the new academy to ensure continuity of provision for pupils, for the TUPE transfer of staff, and to ensure the transfer of assets.
- 3.15 A number of key stakeholders have raised concern about the potential impact on schools in the future due to population increases and the relevance of this for any proposed reorganisation. Forecasts show that in the Macclesfield Local Area Partnership, which includes the wards of Alderley, Bollington and Disley, Broken Cross, Macclesfield Forest, Macclesfield Town and Macclesfield West, the total population is set to increase by 2017 by around 3%. However, the number of children (aged 0-15) is forecast to decrease by around 5% between 2009 and 2027 and the largest decrease of 8% will be in the number of 0-4 year olds by 2027. Throughout the forecast years the numbers of children in each age group fluctuate, reflecting past patterns of numbers of births. The forecasts also indicate that the number of 5-10 year olds will increase by 5% by 2017. However, after 2017 the numbers will start to decrease again. Numbers of children aged 11-15 are forecast to decrease by 7% by 2027. Therefore in summary these projections are not expected to have a significant impact on pupil numbers.
- 3.16 Further information about the housing analysis illustrates that there are a small number (80) of potential development sites within the Macclesfield High School catchment area and only 15% of these being assessed as being deliverable¹. The proposed sites would provide an additional 309 net capacity of dwellings within 15 years. It is anticipated that 76.05% would be delivered within 5 years with the remaining 23.9% being delivered within 15 years. This small increase is not anticipated to have a significant impact on pupil numbers. Using agreed child yield housing formula², is anticipated that there could potentially be an additional 78 primary school pupils and 56 secondary pupils a result of the current housing developments with full permission for development within Macclesfield, by 2026.
- 3.17 In the event that a final decision is taken to close Macclesfield High School and to establish an Academy on the same site with effect from September 2011, pupils for whom places have been offered and accepted at Macclesfield High School, together with pupils on the roll of the school at the time of closure, will automatically be entitled to a place at the new Academy.

¹ **Definition:** The site is available now, offers a suitable location for housing development now and there is a reasonable prospect that housing will be delivered on the site within five years from the date of adoption of the plan

² **Child Yield Housing Formula:** Source Department for Education. <http://www.edubase.gov.uk>

- 3.18 The Macclesfield High School Governing Body met on Thursday 4th November to consider the proposal that Macclesfield High School to close the school upon the establishment of an academy with the preferred sponsor, Macclesfield College. Governors looked closely at the proposed change and whilst they agreed in essence with the proposal, it was felt that publicity and marketing would be essential to the future sustainability of the proposal and that this included the 11 to 18 provision and beyond that would be available as part of the Macclesfield Learning Zone in the event that a decision is taken to close the High school and an Academy is established. Governors felt that the establishment of an academy sponsored by the college creates the opportunity for all-through provision on the Learning Zone site with sixth form provision that will go beyond the provision offered in a traditional 11 to 18 school.

4 Outcomes from the Formal Consultation Process

- 4.1 How statutory consultation is carried out is not prescribed in regulations and it is therefore for the Local Authority as the proposer to determine the nature of the consultation. In order to facilitate feedback on the proposal, a formal document was produced (Appendix 1) detailing the background to the proposal and the statutory consultation process, with information on how feedback can be provided together with a feedback form. The Local Authority has made available for all consultees and relevant stakeholders copies of the consultation document together with a 'Frequently Asked Questions' document (Appendix 2). Staff and Governors at Macclesfield High School were presented with information by officers of the Local Authority on the proposal and formal consultation process in November and advised on how feedback could be submitted. The formal consultation document was published on the Council's website and was made available in hard copy on request. The Council's website has been regularly updated to provide full details about the process and information has been communicated in writing (including e-mail) to all key stakeholders as listed in the document attached as Appendix 3.
- 4.2 In addition; and to ensure that all interested parties had the opportunity to feedback their views in person or to raise any concerns that they may have with officers of the Local Authority, three 'drop in' style consultation events were held in Macclesfield two in December and one in January. A total of 67 people attended these events. Hard copies of the consultation document, FAQs and feedback forms were provided at these events, and representatives from Macclesfield College, including the Principal, also attended to provide information. The events were communicated to all key stakeholders, as listed in Appendix 3 and information about the events was also published on the Council's website. A press release was issued to inform the wider community together with a local radio 'phone in' involving Hilda Gaddum, the Council's Cabinet Member for Children and Families Services and Wendy Wright, Principal of Macclesfield College and Academy sponsor.
- 4.3 At the meeting of the Children and Families Scrutiny Committee of 7 December 2010, Members were invited to comment on the consultation document and process implemented by officers in respect of the proposal to close Macclesfield High School. The minutes of the meeting state,

‘That the Committee fully endorse Cheshire East Council’s consultation arrangementsand in doing so congratulate the Council on the clarity of the consultation document.’

- 4.4 The general level of response and involvement of stakeholders and consultees has been comparatively low compared with the informal consultation implemented by the Local Authority in the Summer on a range of options. The various consultation events and processes have generated a total of 88 written responses from interested parties offering a variety of feedback. The number of responses received that have indicated support for the proposed closure of Macclesfield High School is 40, with 22 confirming their opposition to the proposed closure. A further 26 consultees have returned a ‘no view’ response. Others responses received by the Local Authority were to raise questions about such matters as the viability and sustainability of the proposal and curriculum delivery and staffing. A detailed summary of the feedback received is included as Appendix 3 to this report together with Appendix 4 (Feedback Log), which includes all feedback. Hard Copies of all the submissions received are also available for Members of the Cabinet to view at the Cabinet Office, Westfields, Sandbach. These will be available at the meeting on the day. Members are advised to familiarise themselves with the submissions received prior to the meeting of the 14 February.
- 4.5 In order to ensure that pupils at the school are consulted, arrangements were made with the Headteacher of Macclesfield High School. The proposal was presented to pupils in the week commencing 10 January and feedback forms were completed to capture their views. Of the 526 pupils that took part and provided a response, the outcomes show that whilst 421 pupils expressed the view that they hope that the school remains open on the current site, 240 pupils demonstrated support of an Academy as a good solution for the area with only 59 against and a further 219 who were unsure. In answer to question 4, which asked about the perceived benefits of an Academy, 192 pupils indicated that they saw benefits in establishing an Academy compared with only 75 pupils who did not. A further 226 pupils were unsure. A summary of the outcome of this pupil consultation is included in Appendix 3. All feedback is provided in Appendix 5.
- 4.6 Many of the questions and issues raised during this consultation are regarding the proposed Academy. The Local Authority consultation is focussed on the proposal to close the High school, but although not a related proposal in legal terms, this is conditional on the establishment of an Academy utilising the existing site. These questions and issues have therefore been forwarded onto the College for the attention of the Academy sponsors.
- 4.7 The Local Authority recognises that not all the information about the proposed Academy is available at this stage. The Local Authority has however, endeavoured to provide as much confirmed information as possible. Further aspects of the proposed Academy will be developed by the sponsors over the coming months as part of the feasibility stage.

- 4.8 Cabinet Members are requested to consider the feedback from the formal consultation and decide whether to publish the statutory notice proposing the closure of Macclesfield High school. If this is agreed a 6 week period of representation will follow. The Cabinet would then have to consider those responses when making its final decision on the closure of the school.

5.0 Reasons for the Recommendation

- 5.1 The outcome of the recent formal consultation (attached as Appendix 3) provides a summary of the feedback received on the proposal to close Macclesfield High School on 31 August 2011 upon the establishment of an 11-16 Academy on the same site.
- 5.2 Permission to publish notices will enable the Local Authority to comply with its statutory duty in respect of the discontinuance of a school.
- 5.3 The establishment of an Academy is subject to the agreement of the Secretary of State and falls outside School Organisation regulations. Cabinet are advised that the guidance issued by Department for Education is that there should be a presumption in favour of approval of a proposal to close a school if provision for pupils is dependent on the establishment of an Academy.
- 5.4 If permission is given, the Local Authority with the Department for Education and Macclesfield College will continue to take the appropriate steps to prepare for implementation of the new arrangements with effect from 1 September 2011 to apply in the event that the closure of Macclesfield High School is approved at the end of the representation period and thereby ensuring that the successful delivery of statutory education (11 to 16) and the existing post 16 offer, including A levels and vocational qualifications, will continue to be delivered on the Macclesfield Learning Zone site without any interruption.
- 5.5 Analysis has shown that the number of pupils attending Macclesfield High School over the coming years is expected to continue to fall resulting in a significant increase in the number of surplus places by 2017 to around 47.5%. The consequence of this is that if no changes are made this will have a detrimental impact on the school budget and the school's capacity to utilise its resources efficiently and effectively. Feedback received during informal consultation in the summer 2010 on a range of options demonstrated the desire by parents, carers and other interested parties in the need to retain a non-faith provision on the south side of the town, which this proposal would facilitate. The three year downward trend in the academic standards at the school, following its creation as a new secondary school in September 2007, resulted in a decision by the Local Authority and the DFE to include the school within the National Challenge programme. Interventions have been very positive resulting in a recent OfSTED monitoring visit judging the school as making good progress. However, whilst these improvements need to be celebrated, the level and range of interventions, including additional financial investment in the school, have been significant and it is considered that further sustainable improvement would be best delivered with external support and an appropriate sponsor.

6.0 Wards Affected and Local Ward Members

6.1

<u>COUNCILLORS NAME</u>	<u>REPRESENTING WARD</u>
Cllr Harold Davenport	Bollington & Disley
Cllr Matthew Davies	Bollington & Disley
Cllr Diana Thompson	Bollington & Disley
Cllr Ainsley Arnold	Broken Cross
Cllr John Goddard	Broken Cross
Cllr John Narraway	Broken Cross
Cllr Marc Asquith	Macclesfield Forest
Cllr Hilda Gaddum	Macclesfield Forest
Cllr Lesley Smetham	Macclesfield Forest
Cllr Stephen Broadhurst	Macclesfield Town
Cllr David Neilson	Macclesfield Town
Cllr Christine Tomlinson	Macclesfield Town
Cllr Sandy Bentley	Macclesfield West
Cllr Martin Hardy	Macclesfield West
Cllr Darryl Beckford	Macclesfield West
Cllr Paul Findlow	Prestbury and Tytherington
Cllr Thelma Jackson	Prestbury and Tytherington
Cllr Bill Livesley	Prestbury and Tytherington

7.0 Policy Implications

- 7.1 This proposal accords with government policy and current DfE guidance on the discontinuance of a maintained school and formation of Academies under the Academies Act 2010.

8.0 Financial Implications (Authorised by the Borough Treasurer)

- 8.1 The main cost associated with the school closure for the Local Authority will be the inheritance of any potential budget deficit. A Notice of Concern is to be issued immediately following any decision to close Macclesfield High School. The Notice of Concern should outline the steps to be taken by both the LA and Macclesfield High School, to ensure any potential deficit is controlled as far as possible. Measures to include: requirement of LA countersignature for payments from High School's bank account; discussion of any potential liabilities prior to terminating any of the High Schools contracts. Strict financial monitoring regime to be imposed by the LA to ensure that expenditure is controlled as far as possible to avoid the LA inheriting a deficit budget problem upon conversion.
- 8.2 Any further costs to the Local Authority will be in relation to the establishment of the proposed Academy and Members will be advised of this accordingly as part of the process. The new Academy should apply for, where applicable, all additional available funding sources from the DfE prior to conversion such as for feasibility, implementation and start up grants. Where possible, the Dedicated Schools Grant (DSG) should not be used for these costs. A new

bank account set up for academy costs would be a sensible option to monitor such expenditure.

- 8.3 There should be an upfront agreement of the severance costs associated with the TUPE of staff which the LA is willing to meet. The LA has outlined an agreement to meet associated TUPE costs as a consequence of the restructure only due to any overstaffing of the predecessor school, or the predecessor running at a deficit, and only up to 31/08/11. Discussion and consideration of the impact and costs of the appointment of a new Academy Head, should a closure not be agreed, are on-going.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 Local Authorities are under a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They must also ensure that there are sufficient schools in their area, promote diversity and increase parental choice.
- 9.2 If a Local Authority needs to close a maintained mainstream school statutory proposals will be required (S15 of the Education and Inspections Act 2006). Cabinet is being asked to give permission for statutory proposals to be published.
- 9.3 Under section 16 of the Education and Inspections Act 2006 a local authority considering bringing forward statutory proposals to close a school must consult interested parties, and in doing so it must have regard to the Secretary Of State's guidance.
- 9.4 The guidance requires those bringing forward proposals to consult all interested parties (a list of interested parties is given and Appendix 3 refers to that list and shows how each heading has been complied with). In doing so they should:
- Allow adequate time
 - Provide sufficient information for those being consulted to form a considered view on the matters on which they are being consulted:
 - Make clear how their views can be made known; and
 - Be able to demonstrate how they have taken into account the views expressed during consultation in reaching any subsequent decision as to the publication of proposals
- 9.5 The guidance as set out above, encompasses the Sedley requirements which are the standards of proper consultation expected by the Courts (*R v Barnet LBC, ex p B* [1994] ELR 357, 372G, referring to *R v Brent LBC, ex p Gunning* (1985) 84 LGR 168). It is imperative that this part of the guidance is followed to avoid challenge at a later date.
- 9.6 Before going on to consider the recommendation of this report, Cabinet should consider the papers attached in respect of the consultation and satisfy itself that the consultation undertaken has been properly conducted.

- 9.7 Consultation on this matter took place between 15 November 2010 and 14 January 2011 and a summary of the results has been attached to this report. The full responses have been made available to Cabinet to view before the meeting on 14 February 2011 and will also be available at the meeting. In order to ensure that the local authority has complied fully with the Sedley requirements (above), Cabinet members need to ensure that they have familiarised themselves with the views expressed during consultation and be clear as to how those views have been taken into account in reaching the final decision as to whether or not to approve publication of proposals for closure of Macclesfield High School.
- 9.8 If Cabinet gives permission for the proposal for the closure of Macclesfield High School to be published, the proposal should be conditional upon the opening of an Academy on the same site. Under Section 13 of the Education Act 1996, a local education authority has a duty to ensure that there are sufficient school places to meet the needs of all children in its area. It is understood that if Macclesfield High School was simply closed, Cheshire East Council would not have sufficient school places available in the Macclesfield area to meet its statutory obligations. The establishment of the proposed Academy is therefore crucial to any proposal to close Macclesfield High School.
- 9.9 If Macclesfield High School were to close, there will be employment issues. Formal notices of closure will have to be issued having formally consulted. There are Human Resource implications for all staff at the closing school as they may be subject to the Transfer of Undertakings Protection of Employment Rights Regulations 2006 (TUPE) or may be at risk of redundancy depending upon which option is adopted. If it is a Redundancy situation then the Employer has a duty to seek to find suitable alternative employment for those staff affected. Given that the authority has no legal right to redeploy staff to schools, this is achieved by working collaboratively with schools and through the use of a staffing protocol which schools would be asked to agree. Schools would agree to consider staff for any vacancies in advance of advertising more widely. Until new staffing structures are fully developed it is difficult to predict severance and redundancy and TUPE implications accurately at this stage.

10.0 Risk Management

- 10.1 Apart from the risk of legal challenge, this proposal was identified as offering the best solution to the very difficult position the school finds itself in with increasing surplus places, budgetary pressures and the need for continued external support and additional investment to continue to raise standards. There is a need to minimise the period of uncertainty for governors, staff and parents and carers of children at the school or due to transfer there in the near future. The risk of not doing anything far outweighs that of taking action now.

11.0 Access to Information

Hard Copies of all the submissions received are available for Members of the Cabinet to view at the Cabinet Office, Westfields, Sandbach.

The background papers relating to this report can be inspected by contacting the report writer:

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