

# CHESHIRE EAST COUNCIL

## REPORT TO: CHILDREN AND FAMILIES SCRUTINY COMMITTEE

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<b>Date of Meeting:</b>	16 November 2009
<b>Report of:</b>	Task/Finish Panel
<b>Subject/Title:</b>	Managing the Provision of School Places Report on Transforming Learning Communities (TLC) and its implications for Cheshire East Council by the Task & Finish Group

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### 1.0 Report Summary

- 1.1 A Task & Finish Group was established by the Cheshire East Council's Children and Families Scrutiny Committee. Its remit was to review the TLC inheritance from the former County Council, and consider the needs of Cheshire East in relation to future changes to the schools system. The Group's work has been informed by the thorough review of TLC by a former County Council Scrutiny Panel, first-hand information from EIP members and Headteachers, and their own considerations of the evidence available with regard to supply and demand for school places.
- 1.2 This document provides an executive summary of the Report produced by the Group. The Report describes the work of the Task & Finish Group in reviewing the recommendations of the Cheshire County Council TLC report and considering the implications for Cheshire East. It then describes the current position in Cheshire East with regard to surplus places and the challenges of managing the provision of school places in future. It outlines the attributes of a new system for managing school places, taking into consideration key factors such as schools' cost-effectiveness, academic performance and local popularity. Finally, the Report presents the Group's conclusions, from which flow a set of recommendations which it commends to Cheshire East Council. Further detail on each section of the Report is given below.

### 1.2 INTRODUCTION

- 1.2.1 The Cheshire East Children & Families Scrutiny Committee noted that the new Council would need to consider how to manage the gap between supply and demand of school places. The Committee therefore commissioned a Transforming Learning Communities Task & Finish Group to take this matter forward and consider how the processes should be managed across East Cheshire. Section 1 of the

report gives details of the Group's membership, Terms of Reference, and methodology.

### **1.3 TRANSFORMING LEARNING COMMUNITIES (TLC)**

- 1.3.1 Two different but related challenges underpinned the establishment of Transforming Learning Communities (TLC). The first of these was a forecast decrease in Cheshire of numbers of children aged 0-15, resulting in surplus school places in both primary and, ultimately, secondary schools. Data at the time forecast a reduction, between January 1999 and January 2009, of nearly 14% in primary school pupils on roll across the whole County. This was accompanied by projections of similar figures for surplus primary school places over the period, with knock-on effects for secondary schools. The second challenge was the Government's new policy agenda for education known as 'Every Child Matters' (ECM). Cheshire County Council organised a conference for key stakeholders in 2004 to discuss how to respond to both the ECM requirement to integrate children's services delivery and the issue of surplus school places. As a result, the Transforming Learning Communities (TLC) process was established.

### **1.4 CHESHIRE COUNTY COUNCIL SCRUTINY REVIEW OF TLC**

- 1.4.1 The TLC process was reviewed by a Scrutiny Review Panel from the former Cheshire County Council over the period 2007-2008. The purpose of the Review was to assess whether the TLC process was successful in addressing the issue of surplus school places, and to review the consultation process which flowed from TLC proposals to tackle surplus places, so that lessons could be learned for the future. The Scrutiny Review Panel's report commended TLC for achieving some valuable outcomes but concluded that some key changes had not been made and significant opportunities had been missed. Main findings are summarised below.
- 1.4.2 The Panel found that TLC had removed many surplus places but this was insufficient and too slow to keep pace with falling school rolls and the changing demographic profile of Cheshire. The Panel recommended an ongoing programme to manage school places, reducing these by about 800 per year. The Panel noted considerable problems with all the processes involved in TLC, which were generally viewed as over-long and complex. Although the formation of federations was an intended outcome of TLC the Scrutiny Review Panel questioned its level of acceptance by schools and suggested that federation became a method for avoiding difficult school closure decisions.
- 1.4.3 With regard to small and rural schools, the Panel questioned the fairness of the present Funding Formula. Small schools attract a

proportionally greater level of resource than larger schools, which is questionable in cases where a school is not really serving its local community. The Panel concluded that the LMS Funding Formula required a fundamental review, to consider whether small school allowances deliver educational benefits appropriate to local needs. The Panel recommended the development of a small and rural schools policy. The Panel noted the prevalence of mixed age teaching in rural schools and recommended that this be minimised. Overall, the Panel suggested that the transformational aspirations of TLC had been overshadowed by the issue of surplus school places.

## **1.5 PERCEPTIONS OF TLC BY EIP REPRESENTATIVES**

- 1.5.1 Whilst the TLC Scrutiny Panel had received a great deal of evidence, the Task & Finish Group wished to hear at first-hand the views of some of the people involved. The Group interviewed ten individuals, representing the EIPs and the East Cheshire Association of Primary Heads (ECAPH), about their own perceptions of TLC. Section 4 of the report provides examples of the views given.

## **1.6 THE CHANGING PICTURE OF PROVISION OF SCHOOL PLACES IN CHESHIRE EAST**

- 1.6.1 This Section of the Report presents data illustrating the challenges Cheshire East Council will face in matching the demand for school places with provision. It provides long-term data on national demographic change followed by the emerging picture on live births for Cheshire East. Such data illustrate the relationship between demographic change over time and outcomes of surplus or insufficient school places at both primary and secondary schools. Demographic data from ONS reveal a changing picture, depending on the timescale under consideration. Data for the last 100 years for England and Wales suggest a steady, long-term national decline in the overall number of live births. More recent data suggest that population numbers are increasing, at least in the short term. Because of the strong positive relationship between increasing numbers of live births and demand for school places, the current rate of fall in pupil numbers used by the TLC Review may in fact be in the process of longer-term reversal.

- 1.6.2 The graphical data presented in this section of the Report demonstrates a complex picture. The implications of the TLC review for Cheshire East were that some 400 school places would need to be removed each year in order to keep pace with currently falling rolls and not exceed the target of 10% surplus places by 2011. This is probably correct, given that this target applies to the near future. However, data projections also indicate the shifting nature of the trends in live births, which will impact on the demand for primary and secondary school places over the longer term. This phenomenon can be thought of as a 'wave' of demand which

fluctuates over time and across specific age cohorts, sometimes quite sharply. Cheshire East will need to build into its system of school provision the capacity to accommodate such marked rises and dips in demand.

## **1.7 THE CURRENT POSITION BY EIP**

- 1.7.1 The fact that the new Council has a large number of small primary schools is highly pertinent to its management of school places provision. With an average size of 190 pupils, these primary schools are smaller than those in comparable Authorities. This Section provides data on surplus places, current and projected, across the twelve EIP families of primary schools. This section also highlights the relationship between the appropriate provision of school places and other key factors such as popularity, academic performance and cost effectiveness. A small number of schools are used as 'cases' which exemplify the complexity of the overall picture.
- 1.7.2 Appendix B of the Report provides Tables on each of the EIPs and enables rapid identification of primary schools with over 20% surplus places. Appendix B also provides data relating to each school's capacity/surplus places; numbers on roll; cost effectiveness (compared with each EIP average); academic success; and popularity with local parents.
- 1.7.3 With regard to secondary schools, we have a capacity of 24,287 places and 23,565 pupils on role, a figure projected to fall further over the next five years to below 21,000 pupils. We are facing 15% surplus places within the next eight years; thereafter, the need for places will increase but to a level significantly below current demand. Cheshire East faces the challenge of responding to this changing wave of demand.

## **1.8 DEVELOPING A NEW SYSTEM TO MANAGE THE PROVISION OF SCHOOL PLACES WITHIN CHESHIRE EAST**

This Section outlines the Group's deliberations on key attributes for a new system of managing the provision of school places, one which incorporates appropriate safeguards. The section also highlights key sets of data that need to be collected – and presented together - in order to ensure an accurate and clear picture. The weight of evidence provided in earlier sections indicates the need for a new system of managing the provision of school places within Cheshire East Council. The Task & Finish Group consider that the main attributes of any new system should involve the following:

- A new name for the process, to indicate a clear break with TLC.
- A sound evidence base to provide accurate and timely data. The new concept of school popularity (measured by the percentage of pupils within

a school's designated catchment area actually attending that school) should be included.

- The new system should be objective but recognise the impact of school closure on local communities.
- Continuous management of changing circumstances, rather than a large catch-up programme. An early warning system is needed to alert the Council when surplus places at a school exceed a certain number or when costs exceed a certain sum.
- The new system should be as transparent as possible and should involve swift and decisive decision-making. Adequate support should be provided to schools.
- The issue of surplus places should be approached from a local perspective, such as Locality or EIP.
- There needs to be a clear policy framework for small and rural schools.
- There needs to be close and early working with EIPs, Diocese and others.
- A clear policy needs to be developed for the role of Federations.
- There needs to be an immediate update of the Schools Funding Formula.
- This new system needs to be interfaced with both the Primary Capital and Building Schools for the Future Programmes.

## **1.9 CONCLUSIONS**

- 1.9.1 The former Cheshire County Council's 'Transforming Learning Communities' was an ambitious programme designed to examine educational provision within the County in the light of the 'Every Child Matters' (ECM) agenda, and at the same time reduce the number of surplus places in Cheshire Schools. Although there were many positive outcomes from TLC, its multiple requirements seem to have stretched the authority's resources and overshadowed transformational aspects of the programme.
- 1.9.2 The lessons from TLC are that Cheshire East needs better tools in terms of policies and information systems, and a better process for the review, consultation and decision phases of any change to school arrangements. The review of the Funding Formula is urgent and should be adequately resourced. Given the large number of small and rural schools across East Cheshire, many of which fall below the minimum size recommended by the Audit Commission, the Council needs a clear policy framework for small and rural schools.
- 1.9.3 The TLC process was received unfavourably by both the Church of England Diocese of Chester and the Catholic Diocese of Shrewsbury. In view of the numbers of church schools within Cheshire East, attention should be paid to improving future relations with both Dioceses.
- 1.9.4 Cheshire East Council inherits a different position than that forecast at the start of the former County TLC programme in two respects. Firstly the fall in rolls is not as great as was forecast, due to a reversal of the

birth rate from 2003 onwards. Secondly, the number of surplus places removed under TLC has fallen short of forecast. With regard to the match between supply and demand, data projections indicate the shifting nature of the trends in live births. This will impact on the demand for primary and secondary school places over the longer term. This 'wave' of demand fluctuates over time and across specific age cohorts, sometimes quite sharply. Cheshire East will therefore need to consider how to build into its system of school provision the capacity to accommodate such marked rises and dips in demand. However, we lack sufficiently robust and up to date information and need better data for future management purposes.

- 1.9.5 Any future strategy needs to recognise the requirement to manage surplus places on an area basis and in line with changing demographics. In addition, parental choice with regard to school places is a policy imperative with which the Council must comply. Future strategy therefore needs to reward success by making appropriate investment in popular and successful schools and take decisive action relative to unpopular and academically weak schools. Forming a federation between two schools could be the first step towards school amalgamation, or the closure of the less successful or needed school. Federation should be understood as one of several options for school governance.

## **2.0 RECOMMENDATIONS**

- 2.1 Section 9 of the Report makes a set of recommendations which it commends to the Council. These are outlined below:

- Cheshire East Council should review its commissioning of school places in accordance with the needs of the communities served by the Council and build upon the evidence base considered by this Task & Finish Group.
- The review of how the Council commissions school places should be conducted transparently and include all stakeholders. It should include commissioning arrangements for the provision of learning for all children and young people, including those with SEN and additional needs, and gifted and talented children. In view of the lack of special schools in Cheshire East, special needs considerations should be fully integrated into any system for the management of surplus places in main stream schools. The review should cover all geographical areas and be phased according to priority needs.
- The review of the Funding Formula for schools should be prioritised and should be driven by the need to improve outcomes for children and young people. The review should be conducted swiftly. The Council should consider what resources are required to enable this to be

prioritised. There needs to be a clear policy framework for small and rural schools.

- The Council should develop a guidance note for Members on the role of federation and other forms of school governance in achieving structural transformation of education and reducing surplus places.
- It is clear that the quality of data needs to be improved and the range of data extended. Adequate resource must be allocated to ensuring that such up-to-date information is readily available, in user-friendly form, to Members and Officers.
- The role of the Educational Improvement Partnership (EIP) is growing and they are now key stakeholder. Any new system should ensure that they are supported and enabled by the Council to formulate school reorganisation proposals.
- Future changes to school organisation may well require full cooperation of the respective Dioceses. It is recommended that more attention is paid to these relationships and that full account is taken of the special circumstances of church schools, during both the consideration and consultation stages of the process.
- The Group recommends that Cheshire East Council develop a sound future investment strategy for its schools estate. The investment strategy needs to be based upon robust and up to date information which in turn leads to timely conclusions and firm decisive action after appropriate consultation. Any proposed actions need to be adequately supported. The schools involved need to be fully supported but there also needs to be sufficient resources to manage the communications/public relations process.
- The Council needs to develop a strategic vision for its future investment in schools in order to access vital sources of longer term external funding (via PCP and BSF) which will help address some of the issues raised in this report. The investment strategy must be informed by a robust and defensible methodology, which should now be developed.

### **3.0 Reasons for Recommendations**

- 3.1 Cheshire East Council urgently requires an appropriate future investment strategy. This is needed before we can re-submit our Strategy for Change to the Primary Capital Programme (PCP), and submit our statement of 'Readiness to Deliver' to the Building Schools for the Future (BSF) programme. Both are potential major sources of investment for the next ten years and provide an opportunity we cannot afford to miss.

### **4.0 Wards Affected**

- 4.1 All Wards
- 5.0 Local Ward Members**
- 5.1 All Members
- 6.0 Policy Implications including - Climate change  
- Health**
- 6.1 Every Child Matters/ BREEAM / Links with Health
- 7.0 Financial Implications for Transition Costs (Authorised by the Borough  
Treasurer)**
- 7.1 N/A
- 8.0 Financial Implications 2009/10 and beyond (Authorised by the Borough  
Treasurer)**
- 8.1 N/A
- 9.0 Legal Implications (Authorised by the Borough Solicitor)**
- 9.1 Most school reorganisation proposals have to comply with a statutory process which is laid down in regulations and guidance. Any new policies and procedures set up by Cheshire East Council will need to be compatible with these statutory requirements.
- 10.0 Risk Management**
- 10.1 N/A
- 11.0 Background and Options**
- 11.1 N/A
- 12.0 Overview of Year One and Term One Issues**
- 12.1 N/A
- 13.0 Access to Information**

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

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