

## **Children and Families Committee**

**18 September 2023**

**School Causing Concern, St Gregory's**

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**Report of: Claire Williamson, Director of Strong Start, Family Help, and Integration**

**Report Reference No: CF/32/23-24**

**Ward (s) Affected: Bollington**

### **Purpose of Report**

- 1 St Gregory's Catholic Primary School in Bollington is a small 0.5 form of entry primary school (105 pupil capacity if full), which, for many years the school has struggled with pupil numbers and therefore has operated with a challenging 3-year deficit budget.
- 2 The school received an inadequate Ofsted judgement in February 2022, this resulted in the need to seek a sponsored academy solution for the school and find a suitable academy trust for the school to join. This solution has not been secured as consulted trusts do assess the school as viable in the longer term.
- 3 Since the Ofsted judgement, numbers in the school have continued to fall resulting in the position that at the end of the academic year 2023, around thirty pupils were attending the school giving surplus places of around 70%.
- 4 The local authority, in conjunction with the Department for Education, Northwest Regional Director, is therefore required to consider formal statutory processes regarding the future of the school which includes potential school closure. This reports formally requests that Committee approves commencing this process.

### **Executive Summary**

- 5 The local authority, through its officers within education services, has regarded St Gregory's Catholic primary school as a 'school causing concern' for a considerable period, this has been due to its challenges

in securing sufficient pupils on roll to allow for a sustainable and affordable budget to be set. Added to these concerns were the quality of leadership in the school and the resulting outcomes for children attending the school.

- 6 In early February 2022, based upon the concerns over the school, the local authority initiated one of its intervention powers linked to 'schools causing concern', and issued a pre-warning letter to the governing board of the school. Unrelated to this, in February 2022 the school also received a full Section 5 inspection by Ofsted which judged overall that the school provided an inadequate quality of education for the pupils attending.
- 7 The local authority is required to complete a 'statement of action' following an inadequate Ofsted judgement and this was approved by Ofsted in terms of a rapid improvement plan. This plan was based upon the national expectation that the school would now join an academy trust as a sponsored school which would assist in providing the appropriate levels of support to improve the quality of education. Being a Diocesan school, such a trust would need to meet the requirements of the Diocesan of Shrewsbury.
- 8 Following extensive meetings with Diocesan officers and members of the Northwest Regional Director's team, it has become clear that the preferred local Diocesan academy trust does not consider this school a viable option in terms of its financial position; this is primarily due to the ongoing fall in pupil numbers.
- 9 At the ongoing meetings referred to above, the position was reached that as no suitable trust option was available, that careful consideration needed to be given to the sustainability of this school and that structured consultation would need to be considered which could include the option to close the school. This is a formal staged process using Department of Education statutory guidance. Opening and closing maintained schools' Statutory guidance for proposer and decision makers (January 2023) ('the statutory guidance')– see below.

[Opening, closing and making changes to schools - GOV.UK  
\(www.gov.uk\)](https://www.gov.uk/guidance/opening-closing-and-making-changes-to-schools)

9. Children and Families Committee would be the overall decision maker using this guidance.
- 10 A parents' meeting was held at the school on 10 July 23 to inform the local community that this structured process was to be considered by committee in September. A letter was also sent to all parents and carers

of pupils attending the school before the end of term to again provide information on this theme.

## RECOMMENDATIONS

Children and Families is recommended to:

1. Consider the evidence of information as presented within the report and appendices.
2. Approve the commencement of the structured process as outlined in the statutory guidance 'Opening, closing, and making changes to schools' regarding the future viability of St Gregory's Catholic primary school.
3. To consider the responses to the pre-publication consultation at a future committee and to formally consider the next steps as outlined in the statutory guidance.

## Background

- 10 Appendix 1 provides a summary of events and actions relating to this school which has caused this school to become increasingly vulnerable in terms of its long-term sustainability. The appendix outlines the significant events over the last 15 months which has required significant local authority support to be initiated to respond to the inadequate Ofsted inspection particularly in terms of securing leadership for the school to drive short term improvements in the quality of education for pupils attending the school.
- 11 There has been significant work undertaken in association with the Northwest Regional Director's team and Diocese to consider the future of this school. The Regional Commissioner- wrote to the local authority in early March seeking responses to a series of themes to which the local authority responded in a timely way relating to the challenges of pupil numbers.
- 12 It must be stated that there has been significant debate during meetings with the Northwest Regional Director's team and Diocese around the interpretation of national guidance and the national process to seek an academy solution for this school. Whilst these meetings have been prolonged the resulting position at the school has been pupil numbers have continued to decline as local parents have sought available school places in other schools across the Bollington planning area. This has required planning of the school class organisation as from September 2023, which will see the number of classes in school reduce from 3 to 2 having integrated years groups. Staffing has been secured for the start

of the new term and parents have been informed of such changes. The position as of the 7 September 2023 is that numbers for the start of the new academic year 2023/2024 are extremely low with only six pupils at the school.

- 13 The parents meeting held on 10 July, which local authority and Diocesan officers attended, was challenging but tried to offer support to existing families who are clearly and understandably very concerned for the future of the school and being able to secure appropriate local education for their child. It was reiterated to parents that the school will be open for the new academic year as there has to be formal processes followed if the long-term position for the school is that it is needed to close.

### Reasons for Recommendations

- 14 The ongoing discussions with the Regional Director's team and Diocese have resulted in the position that as no viable academy trust solution is available, that there is a requirement for the local authority to commence consultation on the future of the school.
- 15 Parents, carers, staff, and committee members have been briefed on the next stages for the school which will require the commencement of structured processes as outlined in the statutory guidance as referred to earlier in this report.

### Other Options Considered

- 16 The information below sets out a series of options: -

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Option	Impact	Risk
Do nothing	The numbers in the school are too small to allow the school to be financially sustainable and therefore the deficit budget position for the school would continue grow,	The local authority could not sustain a school which had a three-year deficit budget without a viable solution and therefore financial risk would continue to increase. Small numbers in the school impacts significantly on the risk to provide a good quality education for attending pupils.

To seek a sponsored academy solution for the school.	A due diligence process has been followed with two Diocesan trusts which has not seen this school as sustainable in the longer term due primarily to a fall in pupil numbers.	Increasing risks due to the preferred national solution for the school not being available.
To consider alternative uses for the site or alternative educational provisions such as a SEND school.	Such options will be considered as part of the formal consultation process – opening and closing schools.	Each risk will need to be considered by committee following consultation

## Implications and Comments

### *Monitoring Officer/Legal*

- 18 18 – A local authority is under a statutory duty to ensure the sufficiency of school places in their area which includes ensuring that good quality school places are provided where they are needed.
- 19 Under section 15 of the Education and Inspection Act 2006 ('the Act'), a local authority can propose the closure of a community, voluntary, community special or maintained nursery school. The statutory process is set out in The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 and in the statutory process section of the statutory guidance.
- 20 It is a statutory requirement to consult any parties the proposer thinks appropriate before publishing proposals under s15 of the Act to close a maintained school. The proposer may use the consultation to consider a range of options for the future of a school. It is for the proposer to determine the nature and length of the pre – publication consultation. However, the proposer must then publish specific proposals. It is these specific proposals setting out details of the school to be closed which can be commented on or objected to during the statutory representation period.
- 21 The local authority in the exercise of all its functions, must have due regard (section 149 Equality Act 2010) to the need to (a) eliminate discrimination, harassment, victimisation or other prohibited conduct, (b) to advance equality of opportunity and (c) foster good relations between persons who share a relevant protected characteristic and those who do not share it. Any future equalities analysis will need to be considered in consideration of this duty.

## Section 151 Officer/Finance

19 – Below is a table which summarises the estimated financial position for the school, based on the pupil numbers set out in the table underneath. It is not possible to forecast the exact impact of six pupils at this stage given that much of the high needs and pupil premium funding will also stop and staffing levels will reduce but this provides an indication.

<b>Medium Term Plan:</b>		<b>Outturn 2022/23</b>	<b>YEAR 1 2023/24</b>	<b>YEAR 2 2024/25</b>
		<b>£</b>	<b>£</b>	<b>£</b>
<b>Balance Brought Forward</b>		<b>-69,826</b>	<b>-132,411</b>	<b>-112,373</b>
Projected Funding/Income		331,293	385,653	211,179
Projected Expenditure		393,877	365,614	266,624
Budget Shortfall/surplus		<b>-62,585</b>	20,039	<b>-55,445</b>
<b>Projected Carry Forward</b>		<b>-132,411</b>	<b>-112,373</b>	<b>-167,818</b>
<b><u>Pupil Numbers</u></b>				
<b><u>Key Stage</u></b>	<b><u>Age</u></b>	<b>Actual Oct-22</b>	<b>Actual Oct-23</b>	<b>Forecast Oct-24</b>
Reception	4	3	0	0
KS1	5 to 6	9	3	1
KS2	7 to 11	40	3	4
		<b>52</b>	<b>6</b>	<b>5</b>
<i>Change</i>			<i>-46</i>	<i>-1</i>

If the school does progress to closure, then the deficit balance at the time of closure may need to be funded through the council's DSG schools' block.

Guidance from the DfE will need to be sought on this matter to ensure that we adhere with relevant guidance.

## Policy

20 This process impacting on this school relates to two key educational guidance documents which are outlined below:

Schools Causing Concern

[Schools causing concern - GOV.UK \(www.gov.uk\)](https://www.gov.uk/schools-causing-concern)

Opening, closing, and making changes to schools

[Opening, closing and making changes to schools - GOV.UK \(www.gov.uk\)](https://www.gov.uk/opening-closing-and-making-changes-to-schools)

<b>An open and enabling organisation.</b>  <b>(Include which aim and priority)</b>	<b>A council which empowers and cares about people</b>  <b>(Include which aim and priority)</b>	<b>A thriving and sustainable place</b>  <b>(Include which aim and priority)</b>
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*Equality, Diversity, and Inclusion*

- 21 This will need to be considered as part of the formal consultation process.

*Human Resources*

- 22 HR officers have been regularly involved in actions taken to date regarding staffing decisions within the school.

*Risk Management*

- 23 Risks will be monitored as part of the staged process as outlined in the national guidance.

*Rural Communities*

- 23 This school is not classed as a rural school.

*Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)*

- 24 Significant implications for children and their families who may require changing schools because of a school closure.

*Public Health*

- 25 Parents and carers at the recent meeting expressed their concerns at the emotional impact the situation is having on their children when friends and peers leave the school, and the children are having difficulties with developing friendship groups within school.

26     *Climate Change*

27     Not applicable

<b>Access to Information</b>	
Contact Officer:	Claire Williamson – Director of Strong Start, Family Help, and Integration <a href="mailto:Claire.williamson@cheshireeast.gov.uk">Claire.williamson@cheshireeast.gov.uk</a>
Appendices:	One appendix with this report
Background Papers:	See appendices.