

Cabinet Agenda

Date: Tuesday, 3rd May, 2011
Time: 10.00 am
Venue: The Tatton Room - Town Hall, Macclesfield SK10 1DX

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. Apologies for Absence

To note any apologies for absence.

2. Declarations of Interest

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests in any item on the agenda.

3. Public Speaking Time/Open Session

In accordance with Procedure Rules Nos.11 and 35 a total period of 10 minutes is allocated for members of the public to address the Committee on any matter relevant to the work of the Committee.

Individual members of the public may speak for up to 5 minutes but the Chairman will decide how the period of time allocated for public speaking will be apportioned where there are a number of speakers.

In order for an informed answer to be given, where a member of the public wishes to ask a question of a Cabinet Member three clear working days notice must be given and the question must be submitted in writing at the time of notification. It is not required to give notice of the intention to make use of public speaking provision but, as a matter of courtesy, a period of 24 hours notice is encouraged.

Please contact Cherry Foreman on 01270 686463
E-Mail: cherry.foreman@cheshireeast.gov.uk with any apologies or requests for further information or to give notice of a question to be asked by a member of the public

4. **Minutes of Previous meeting** (Pages 1 - 4)

To approve the minutes of the meeting held on 11 April 2011.

5. **Key Decision CE10/11-92 Proposed Closure of Macclesfield High School**
(Pages 5 - 208)

To consider the responses received during the representation period and to approve the closure of Macclesfield High School on 31 August 2011 if, by the date of closure, an agreement has been made for the establishment of an Academy on the same site.

6. **Key Decision CE11/12-1 Neighbourhood Policing Service Level Agreement**
(Pages 209 - 220)

To consider the report of the Strategic Director Places on the development of a Neighbourhood Policing Service Level Agreement with Cheshire Constabulary.

7. **Exclusion of the Press and Public**

The reports relating to the remaining items on the agenda have been withheld from public circulation and deposit pursuant to Section 100(B)(2) of the Local Government Act 1972 on the grounds that the matters may be determined with the press and public excluded.

The Committee may decide that the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2, 3 or 5 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

PART 2 – MATTERS TO BE CONSIDERED WITHOUT THE PUBLIC AND PRESS PRESENT

8. **Key Decision CE10/11-78 Wilson Bowden Town Centre Development Agreement**
(Pages 221 - 246)

To consider the report of the Strategic Director Places.

9. **Workforce Change** (Pages 247 - 252)

To consider the report of the Head of Human Resources and Organisational Development.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Cabinet**
held on Monday, 11th April, 2011 in the Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor W Fitzgerald (Chairman)
Councillor R Domleo (Vice-Chairman)

Councillors Rachel Bailey, D Brown, A Knowles, P Mason and R Menlove

Councillors in attendance:
Rhoda Bailey, D Flude and B Silvester

Officers in attendance:
Chief Executive, Borough Solicitor, Borough Treasurer and Head of Assets,
Director of Adult, Community Health and Wellbeing Services, Director of
Children and Families, Head of HR and Organisational Development, Head of
Policy and Performance, and Strategic Director Places.

166 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors H Gaddum and
J Macrae.

167 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

168 **PUBLIC SPEAKING TIME/OPEN SESSION**

There were no questions from members of the public.

169 **MINUTES OF PREVIOUS MEETING****RESOLVED**

That the minutes of the meeting held on 4 April 2012 be approved as a
correct record.

170 **KEY DECISION 10/11- 66 LOCAL TRANSPORT PLAN -
IMPLEMENTATION PLAN**

Consideration was given to the report of the Strategic Director Places on
the outcome of the Local Transport Plan (LTP) Implementation Plan
consultation and, arising from that, to recommended changes to the final
plan, to be aligned to the Government's four year spending review period
from April 2011 to March 2015.

The implementation plan included details of the schemes and measures to be delivered in order to meet the objectives and priorities for transport as set out in the approved 15 year LTP strategy, and how progress would be measured.

RESOLVED

That approval be given to the Local Transport Plan Implementation Plan.

171 KEY DECISION 10/11- 86 ALCOHOL HARM REDUCTION AND MINIMUM UNIT PRICING

Consideration was given to a report of the Head of Health and Wellbeing giving an overview of the current position regarding minimum pricing per unit of alcohol across Cheshire East, Warrington and the wider region. In order to assist in reducing the negative impacts of alcohol harm, including the cost to people's health, the health system, anti social behaviour and criminal activity, it was recommended that a 50p minimum unit price per unit of alcohol be introduced.

RESOLVED

1. That the findings outlined in the report be noted and the clinical support for minimum unit pricing be acknowledged.
2. That the introduction of a minimum price of 50p per unit across Cheshire and Warrington be endorsed.
3. That the continued pursuit of a byelaw supported by as many local authorities as possible be endorsed, as well as active support and pursuit of the enactment of national legislation to implement a minimum unit price for alcohol, as part of a wider strategy to tackle alcohol harm.

172 EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of the following items pursuant to Section 100(A)4 of the Local Government Act 1972 on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 2 or 3 of Part 1 of Schedule 12A to the Local Government Act 1972 and public interest would not be served in publishing the information.

173 **THE REGENERATION OF CONGLETON TOWN CENTRE**

Consideration was given to the report of the Strategic Director Places on current development activity in Congleton Town Centre.

RESOLVED

1. That the work programme underway be noted, and the overall approach to regenerating Congleton Town Centre detailed in the report be endorsed.
2. That approval be given to the principle of the disposal of land as detailed in the report, adopting the sale to a named party procedure and not offering the site for sale on the open market, and that the Assets Manager, the Head of Regeneration and the Borough Solicitor be authorised to negotiate appropriate terms and conditions with the key terms and conditions to be agreed by Cabinet in due course.

174 **MANAGING WORKFORCE CHANGE**

Consideration was given to the revised report of the Head of Human Resources and Organisational Development.

RESOLVED

That Cabinet supports the decision of the Chief Executive to release the employees whose roles are listed as 1 to 42 in Appendix A under the arrangements agreed in relation to voluntary severance provisions for employees in the Council.

The meeting commenced at 2.00 pm and concluded at 2.35 pm

W Fitzgerald (Chairman)

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CHESHIRE EAST COUNCIL

REPORT TO: CABINET

Date of Meeting: 3 May 2011
Report of: Lorraine Butcher. Director of Children and Families
Subject/Title: Decision on the Proposal to Close Macclesfield High School
Portfolio Holder: Cllr Hilda Gaddum

1.0 Report Summary

- 1.1 At the meeting of 14 February, Cabinet authorised publication of the statutory notice proposing the closure of Macclesfield High School on 31 August 2011 (attached as **Appendix 1**). This notice is an extract from the complete proposal (attached as **Appendix 2**). The appendices to the complete proposal are available in the Cabinet Office for Members prior to the meeting of 3 May.
- 1.2 This decision paper reports on the outcome of the statutory public notice and details the responses received during the 6 week representation period following the publication of the statutory notice, which commenced on 28 February 2011 and concluded on 11 April 2011. Cabinet are advised that the guidance (attached as **Appendix 3**) issued by the Department for Education (DfE) states 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.
- 1.3 Paragraphs 8(6) and 17 of Schedule 2 to the EIA 2006 provides that the local authority must have regard to guidance issued by the Secretary of State when taking a decision on a closure proposal as aforementioned. **Appendix 4** to this report includes extracts from the guidance to assist Cabinet in their decision-making. The table includes the relevant paragraphs from the guidance confirming the current position for the school and addressing the impact of closure in relation to each paragraph, where applicable.
- 1.4 The Appendices to this report are listed in the table below:

Appendix	Document
1	Statutory Public Notice
2	Complete Proposal
2.1	Formal Consultation Summary
2.2	Formal Consultation Document Nov2010
2.3	FAQs
2.4	Formal Consultation Feedback Log
2.5	Feedback Log Pupil Participation MHS
2.6	MHS GB Response
2.7	MHS Acting Exec Head Response
2.8	MP for Macclesfield Response

2.9	Catholic Diocese of Shrewsbury Response
2.10	AHCC Response
2.11	Academy Expression of Interest
3	Guidance issued by the Department for Education
4	Guidance for Cabinet Members – Extracts from the DfE Guidance Appendix 3)
4.1	Macclesfield High School Monitoring Report
4.2	Macclesfield High School – Action Plan Review
4.3	Macclesfield College (Academy Sponsor) –The Vision
5	Representation.

2 Decision Requested

2.1 Cabinet are requested:

- to approve the closure of Macclesfield High School on 31 August 2011 and,
- to give approval to the recommendation that closure is 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 on the same site.

3.0 Reasons for the Recommendation

- 3.1 The outcome of the recent representation period (**Appendix 5**) (to follow) provides a summary of the feedback received on the proposal to close Macclesfield High School on 31 August 2011. Members will wish to note that any person can submit representations, which can be objections as well as expressions of support for the proposals. The representation period is the final opportunity for people and organisations to express their views about the proposals and Cabinet must take these into account when deciding the proposal.
- 3.2 Only one representation has been received (attached as Appendix 5), which confirms support for the proposal to closure the High School, conditional upon the establishment of an Academy. The respondent states ‘I was very inspired by the vision the College have for the proposed Academy...This proposal allows the pupils to continue at the same site without too much upheaval...’.
- 3.3 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.
- 3.4 Members will wish to note that the Expression of Interest (EOI) (**Appendix 2.11**) submitted in January to the Department for Education has now received approval from Lord Hill, which means that ministers have agreed to release funding for the project development. This will allow Macclesfield College, as sponsors, to develop plans to establish an 11-16 academy on the same site.

- 3.5 If the closure of Macclesfield High School is agreed, the Local Authority, with the Department for Education and Macclesfield College will continue to take the appropriate steps to prepare for implementation for the opening of the Academy on the existing site on 1 September 2011.
- 3.6 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.

4 Wards Affected

- 4.1 See paragraph 5 below.

5.0 Local Ward Members

<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

6.0 Policy Implications

- 6.1 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.

7.0 Financial Implications (Authorised by the Borough Treasurer)

- 7.1 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. Work is therefore being undertaken by Schools HR and Finance in order to manage the existing school budget to avoid handover of a deficit budget. Reductions/ Redundancies are being effected from both 31 August 2011 and 31 March 2012 to ensure balanced budget at financial year end 11/12. Any costs that materialise through the closure and fall to the Local Authority will, where possible, be levied against the Dedicated Schools Grant.

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 Statutory guidance states that there are 4 key issues which Cabinet should consider before judging the respective factors and merits of the proposal contained in this report:

- Is any information missing? If so, the Decision Maker should request this immediately specifying a date by which the information should be provided;

- Does the published notice comply with statutory requirements?

The statutory notice was prepared with legal advice and checked by the DfE before publication.

- Has the statutory consultation been carried out prior to the publication of the notice?

Consultation took place between 15 November 2010 and 14 January 2011 and a summary of the results were presented to Cabinet at the meeting of 14 February 2011.

- Are the proposals “related” to other published proposals?

The law prescribes which proposals are “related”. The proposals contained in this report are not “related” to any other proposals.

8.2 Paragraphs 8(6) and 17 of Schedule 2 to the EIA 2006 provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on closure proposals. The list of issues to be taken into account as set out in guidance is set out in **Appendix 4**, with comments of officers attached in respect of each of the issues. Guidance is clear that this list should not be taken to be exhaustive as their importance will vary depending on the proposals being considered. All proposals should therefore be considered on their individual merits.

8.3 The decision of Cabinet in respect of the proposal to close Macclesfield High School can be conditional upon an agreement being reached for the establishment of an academy at the same site. 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. If the approval given is conditional, a date should be given by which that condition is to be met.

- 8.4 If Macclesfield High School closes, 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. Staff will 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. In redundancy situations 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 seeking to work collaboratively with schools and through the use of a staffing protocol which schools would be asked to adhere to. Schools would be asked/ encouraged to consider staff for any vacancies in advance of advertising more widely.

9.0 Risk Management

- 9.1 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.

10.0 Background

- 10.1 The background to the proposal to close Macclesfield High School can be found in the full proposal (**Appendix 2**). The consultation process has been implemented in accordance with the guidance issued by the DfE (**Appendix 3**) and the reasons for the proposal have been well rehearsed in reports previously presented to Cabinet. The following highlights the key points for consideration by Cabinet Members.
- 10.2 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
- 10.3 The number of pupils attending these high schools has fallen over the past years resulting in surplus places in the town. The removal of surplus places is a government requirement since it leads to a significant financial drain on school budgets.
- 10.4 The pattern of parental preference in the Macclesfield area means 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, which if realised would result in 30% surplus places at the school. Taking into account the pattern of parental preference, further analysis shows that this surplus figure could be much greater if no action is taken with a potential surplus at Macclesfield High School of up to 67% by 2017 if the other three mainstream schools continue to receive admissions in line with their published admission numbers. Full details are included in the formal consultation document attached as **Appendix 2.2** to this report.

- 10.5 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 contributed to the school not being placed in special measures following an OfSTED Inspection in February 2010. The school achieved its National Challenge Target in summer 2010 examinations and the HMI monitoring visit in September 2010 judged the school to be making good progress. 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. However, the level and range of interventions have been significant and all have contributed to the improvements in attainment as seen in the Summer 2010. 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.
- 10.6 Although the school has made progress in improving the education offered to its students, the Council believes that a radical change in structure is needed to sustain this improvement and to reverse the trend of declining student numbers. The view of the Local Authority is that further sustainable improvement would be best delivered with external support and an appropriate sponsor.
- 10.7 In accordance with the requirements of section 16 of the Education and Inspections Act 2006, formal statutory consultation has been undertaken between 15 November 2010 and 14 January 2011 on the Council's proposal to close Macclesfield High School on 31 August 2011.
- 10.8 Informal consultation was also undertaken prior to this in the summer 2010 and feedback received on a range of options at this stage in the process demonstrated the desire by parents, carers and other interested parties to retain a non-faith provision on the south side of the town, which this proposal would facilitate. The outcomes of this process were summarised in a report to the Cabinet Member for Children and Families on 8 November 2010. Copies

are available for Members in the Cabinet Office, Westfields, prior to the meeting or on request by contacting the report writer.

- 10.9 The outcomes of the formal consultation period, together with information about the process implemented, are included with this report (**Appendix 2.3**) and were presented to Cabinet on 14 February when seeking permission to publish the statutory notice for the closure of the school. Full Copies are available for Members in the Cabinet Office, Westfields, prior to the meeting or on request by contacting the report writer.
- 10.10 DfE guidance states that the decision-maker should be satisfied that the consultation meets statutory requirements. How statutory consultation is carried out is not prescribed in regulations and it is for the proposers to determine the nature of the consultation. This has been followed.
- 10.11 Cabinet Members will wish to note that 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.’

11.0 Access to Information

Hard Copies of the representations received are available for Members of the Cabinet to view at the Cabinet Office, Westfields, Sandbach together with copies of documents referred to in this decision paper. Background papers relating to this report can be inspected by contacting the report writer:

Name: Barbara Dale,

Designation: School Organisation, Admissions and Appeals Manager

Tel No: 01270 686392

Email: barbara.dale@cheshireeast.gov.uk

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CHESHIRE EAST BOROUGH COUNCIL

Closure of Macclesfield High School

Notice is given in accordance with section 15(1) of the Education and Inspections Act 2006 that Cheshire East Borough Council Westfields Middlewich Road Sandbach CW11 1HZ intends to discontinue Macclesfield High School, Park Lane, Macclesfield, SK11 8JR on 31 August 2011.

It is proposed that Macclesfield High School will be replaced by an Academy on the same site. All children on the roll of Macclesfield High School at the date of closure will automatically transfer to the new Academy, unless they choose to move to another school which has places available.

As educational provision will continue on the same site at the new Academy, there should be no change to pupils transport arrangements and therefore no increase in car usage.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from Cheshire East Council by downloading at www.cheshireeast.gov.uk/schools e-mailing SOCS@cheshireeast.gov.uk telephoning 0300 1235012 or writing to School Organisation, Cheshire East Council, Delamere House (EC), Delamere Street, Crewe, Cheshire CW1 2LL.

Within six weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Barbara Dale, School Organisation, Cheshire East Council, Delamere House (EC), Delamere Street, Crewe, Cheshire, CW1 2LL or by e-mailing SOCS@cheshireeast.gov.uk

Signed: Lorraine Butcher
Director of Children's Services

Publication Date: 28 February 2011

EXPLANATORY NOTES

Academies are publicly funded independent schools with sponsors from the private and voluntary sectors. The establishment of an Academy is subject to the agreement of the Secretary of State. It is proposed that the closure of Macclesfield High School should 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 Macclesfield High School.

MATTERS TO BE SPECIFIED IN SECTION 15 PROPOSALS TO DISCONTINUE A SCHOOL

Extract of Schedule 4 to The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended):

Contact details

1. The name of the LA or governing body publishing the proposals, and a contact address, and the name of the school it is proposed that should be discontinued.

Cheshire East Borough Council
Westfields
Middlewich Road
Sandbach
CW11 1HZ

The school proposed for closure is Macclesfield High School, Park Lane, Macclesfield SK11 8JR

Implementation

2. The date when it is planned that the proposals will be implemented, or, where the proposals are to be implemented in stages, information about each stage and the date on which each stage is planned to be implemented.

31 August 2011.

Consultation

3. A statement to the effect that all applicable statutory requirements to consult in relation to the proposals were complied with.

In accordance with section 16 of the Education and Inspections Act 2006 Cheshire East Council has consulted interested parties on its proposal to close Macclesfield High School on 31 August 2011. Consultation was implemented in accordance with the guidance issued by the Secretary Of State between 15 November 2010 and 14 January 2011.

4. Evidence of the consultation before the proposals were published including:

- a) a list of persons and/or parties who were consulted;
- b) minutes of all public consultation meetings;
- c) the views of the persons consulted;and

- d) copies of all consultation documents and a statement of how these were made available.

Formal consultation on the proposed closure of Macclesfield High School commenced on 15 November 2010 and concluded on 14 January 2011.

Appendix 1 contains the list of persons and parties who were consulted, together with information about how consultation has been implemented and the outcomes from this process.

In order to facilitate feedback on the proposal, a formal document was produced (Appendix 2) detailing the background to the proposal and the statutory consultation process, with information on how feedback can be provided. A feedback form was included with this document together with a list of 'Frequently Asked Questions' (Appendix 3). An electronic form was also made available online to facilitate feedback and interested parties could provide feedback orally by telephoning the Council.

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, two 'drop in' style consultation events were held in Macclesfield in December at the start of the consultation period. Hard copies of the consultation document, FAQs and feedback forms were provided at these events. 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.

At the public consultation "drop in" events Local Authority officers met with attendees face to face to facilitate feedback on the proposal. Another officer had the role of scribe to record the comments received. All records were collated and made available to Elected Members. Because of the format adopted there are no formal minutes of these events.

To consult with pupils at the school proposed for closure, arrangements were made with Macclesfield High School to facilitate a presentation to pupils on the proposal and the completion of feedback forms to capture their views.

Feedback logs are attached as Appendices 4 and 5.

Also attached as appendices are the responses of key consultees including the Macclesfield High School Governing Body (Appendix 6); Acting Executive Headteacher, Macclesfield High School (Appendix 7); David Rutley, MP for Macclesfield (Appendix 8), Shrewsbury Diocese (Appendix 9) and the neighbouring school All Hallows Catholic College (Appendix 10).

The consultation documents were published on the Council's website at www.cheshireeast.gov.uk throughout the process and were made available

in hard copy on request. The Council's website has been regularly updated to provide full details about the process and information about this process has been communicated in writing (including e-mail) to all key stakeholders as listed in the document attached as Appendix 1. 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.

Many of the questions and issues raised during consultation were regarding the proposed Academy. Although not a related proposal in legal terms, the Local Authority consultation has provided an opportunity for consultees to obtain information about the proposal by Macclesfield College to establish an Academy in the event that a final decision is made to close the high school. Feedback received by the Local Authority on the College's proposal to establish an 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.

The Academy 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. Local Authority officers attended to provide information on the Council's 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 was incorporated into the feedback log attached as an appendix.

Objectives

5. The objectives of the proposal.

It is intended to close Macclesfield High School on 31 August 2011 to enable the establishment of a 600 place Academy (11-16 year olds) to open on 1 September 2011 in the same buildings and on the same site.

The Local Authority in proposing the closure considers that Macclesfield College would be a strong educational sponsor with the appropriate skills and resources to support the school in the longer term and to facilitate transformational change through the development of new approaches to teaching and learning in order to raise standards. Macclesfield College already enjoys close links with the High School thanks to their shared site on the Learning Zone and joint management of the LZ6 Sixth Form College. The proposed Academy would provide young people with clear progression routes from age 11 to GCSEs through to A Levels or vocational qualifications and on to higher education degrees, on one modern 11-18 campus. The successful delivery of statutory education and the existing post 16 offer, including A levels and vocational qualifications, would continue to be delivered on the existing site without any interruption. The proposed timescale for implementation of 1 September 2011 would reduce the period of uncertainty for all of those potentially affected by this proposal.

There are four mainstream secondary schools in Macclesfield, each providing education aged 11 to 18. The current number of mainstream places across the town, including the schools' 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. The pattern of parental preference in the Macclesfield area needs to be factored into this analysis 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, which if realised would result in 30% surplus places at the school. Taking into account the pattern of parental preference, further analysis shows that this surplus figure could be much greater if no action is taken with a potential surplus at Macclesfield High School of up to 67% by 2017 if the other three mainstream schools continue to receive admissions in line with their published admission numbers.

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 continue to fall to 3589. In order to facilitate an average of between a minimum of 5% and a maximum of 10% surplus across these four mainstream high schools to allow for movement and opportunities for the free exercise of parental choice, the Local Authority would need to provide approximately 3969 places. This is based on an average across the years 2010-2017. In order to achieve this it is necessary to remove approximately 312 places. It is therefore felt that the establishment of a 600 place Academy replacing the 900 places currently available at Macclesfield High School utilising the existing school site would reduce the level of surplus places that currently exists whilst retaining a non-faith provision on the south of the town. This proposal would minimise the disruption for pupils and would allow for expansion in future years if demand for places increases.

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 contributed to the school not being placed in special measures following an OfSTED Inspection in February 2010. The school achieved its National Challenge Target in summer 2010 examinations and the HMI monitoring visit in September 2010 judged the school to be making good progress.

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.

Although the school has made progress in improving the education offered to its students, the Council believes that a radical change in structure is needed to sustain this improvement and to reverse the trend of declining student numbers. The view of the Local Authority is that further sustainable improvement would be best delivered with external support and an appropriate sponsor.

The Expression of Interest submitted by Macclesfield College, Academy sponsor to the Secretary of State received ministerial approval on 7 February (Attached as Appendix 11)

The Sponsor's vision for the Academy is to become an outstanding school in which every student is happy and strives to achieve his/her full potential. A prime responsibility of the Headteacher will be to establish a new culture and ethos for the Academy with a focus on high expectations of staff and students to raise aspirations, promote achievement and enhance self-esteem. A Statement of Vision, Values and Ethos has already been developed and sets out the following values:

- promoting and achieving excellence
- learning is our first priority: students' interests always come first
- actively promoting equality and diversity
- maintaining high standards of ethics and behaviour
- encouraging innovation and development in staff and students
- acknowledging and using the power of positive thought
- working in partnership: promoting effective teamwork and collaborating with partner primary schools.

Standards and Diversity

6. A statement and supporting evidence indicating how the proposals will impact on the standards, diversity and quality of education in the area.

Macclesfield College, sponsor of the proposed Academy has identified key priorities for addressing standards at the school, with the first priority being to appoint a high quality, inspirational Headteacher to lead the Academy. A new Academy staffing structure will be agreed to ensure an effective senior leadership team is established as early as possible.

As sponsor, Macclesfield College will ensure a lean and efficient staffing structure is established, in which all staff are fully deployed and contracts fully utilised. The College has significant successful experience of running an effective and efficient educational business.

Raise standards across all subjects so that attainment rises and students make more rapid progress

Following the improved rates of attainment achieved by the school last summer, there is strong evidence from performance tracking that the current Year 11 and Year 10 cohorts are showing positive projections in terms of 5+A*-C including English and maths. The latest evidence, as of January 2010, is that 48% of the current Year 11 are projected to achieve the 5 +A*- C criteria, which is in line with Fischer Family Trust (FFT) 'D' predictions. In addition, there are positive projections at Key Stage 3 in terms of pupils who started Year 7 below level 4 in terms of their accelerated progress.

The curriculum, as from September, will be revised to create a better match with the needs of learners and to reflect national educational priorities. From Year 7 the Academy will focus upon developing literacy, numeracy and personal learning and thinking skills which underpin all learning. Where reading ages are low on entry the RML scheme will be used to ensure rapid progress. In response to the changing national requirements, a modern language will be available throughout the school. Every student will have an individual learning plan with clear short term and long term targets which will be shared with parents. Regular individual progress reviews will be used to ensure students are on track to achieve their targets. This will enable early intervention where necessary. Setting will be adopted as the norm.

Data analysis shows there is serious scope for improvement in all subjects. To ensure good results are achieved by the end of the first year, challenging targets will be set to raise performance at KS4 and improve progress at KS3. In particular:

- raising percentage of students gaining 5 GCSEs at A* to C, including English and Maths
- raising performance in English, Maths and Science, including the percentage of students making three levels of progress in English and Maths
- improving value added indicators especially in terms of national benchmarking requirements and expected rates of student progress

Improve the quality of teaching and learning to improve engagement, interest and behaviour for learning

A programme of professional development prior to the opening of the Academy will expose staff to outstanding practice and develop a shared understanding of what is required. The programme will continue during the first year to ensure consistent high quality lessons designed to engage,

stretch and challenge students, raise achievement and improve behaviour. Trained subject learning coaches and Advanced Skills Teachers will provide peer support. A rigorous quality assurance framework will be implemented including:

- regular classroom observations by trained observers with detailed individual feedback and targeted professional development for teachers to bring about rapid improvement
- provision of an on-line good practice marketplace for teaching and learning
- rigorous performance management of Department Heads and teachers with challenging goals and targets.

Improve student attendance and reduce persistent absence

Attendance will be improved through an absence monitoring strategy whereby a small team of support staff immediately follow up registered absences by text or phone to students' homes. Strategies introduced in the predecessor school to address behavioural problems in lower teaching sets and to tackle persistent absence in a small minority of students will be evaluated and taken forward or re-vamped as appropriate in advance of opening. The steps set out above to improve teaching and learning and to raise standards will encourage attendance. In addition an After School Club will be introduced to help all students develop life skills and to raise aspirations. This will provide a choice of workshops designed to make learning fun, while highlighting the relevance of core subjects and developing skills that might not be given full attention during school hours. For disengaged students the Club will form part of the strategy for re-engagement and will encourage them to stay in a safe environment after lessons. The Library will be open for extended hours. A holiday club will continue this work outside of school terms.

Ensure greater consistency and expectation across the school community to improve learning environment

The steps taken by the leadership team to embed the new culture and ethos will achieve higher professional standards and ensure a clear and consistent approach. Following consultation, decisions will be taken on the Academy's uniform and dress code, and then regularly reinforced by all staff. Classrooms will be de-cluttered and requirements for the learning environment agreed and implemented. This approach will promote pride in the school and help raise student self-esteem.

Provision for 16-19 year olds

7. Where the school proposed to be discontinued provides sixth form education, how the proposals will impact on:

- a) the educational or training achievements;
- b) participation in education or training; and
- c) the range of educational or training opportunities,

for 16-19 year olds in the area.

The Academy will be located within an educational campus (the Macclesfield Learning Zone) opened in September 2007 and shared with Macclesfield College (sponsor) and Park Lane Special School. The new campus includes specialist sixth form provision through the Learning Zone Sixth Form College (LZ6) which provides a full range of academic and applied learning courses for 16-19 year olds from Foundation Learning to Advanced level study. At present LZ6 provides the joint sixth form for Macclesfield College, Macclesfield High School and Park Lane Special School. This is a semi-formal arrangement underpinned by legal agreements but LZ6 is not a formal legal entity and the students are funded via Macclesfield High School if they are following an A level course or through Macclesfield College for applied learning courses. Nevertheless LZ6 is marketed separately and so Year 11 students from across East Cheshire and the surrounding areas of south Manchester and Derbyshire apply to study there post-16. This includes Year 11 students at Macclesfield High School.

When the 11-16 Academy opens on 1 September 2011 the Year 13 A level students will transfer to Macclesfield College's roll and all new A level students will similarly be placed on the College roll. This transfer has already been discussed with the Young People's Learning Agency who are making the necessary contractual arrangements for the transfer. Since students and their parents already regard themselves as students of LZ6 and are unaware of the separate funding streams that underpin the current arrangements, they will be unaffected by these legal changes. A levels will continue to be taught by Academy teachers, whose A level teaching hours will be purchased by the College.

The Macclesfield Learning Zone offers an unrivalled choice of opportunities for sixth form study. In addition to LZ6, ECAT (the European Centre for Aerospace Training) provides technical and occupational Engineering training for sixth formers and the main FE College offers occupational training in Professional Cookery, Hospitality, Hairdressing and Beauty Therapy for 16-19 year olds, plus specialised provision in Art and Design. On the Learning Zone campus Macclesfield College also offers Apprenticeships, and Foundation and Honours Degrees validated by Manchester Metropolitan University. Thus the Learning Zone provides young people with clear progression routes from age 11 to GCSEs in the Academy, through to A levels, vocational qualifications or an Apprenticeship, and on to Higher Education.

Need for places

8. A statement and supporting evidence about the need for places in the area including whether there is sufficient capacity to accommodate displaced pupils.

A decision to close Macclesfield High School will be conditional on the establishment of an Academy on the same site. The proposed Academy will be a co-educational, four forms of entry, 11-16 school with a planned admission number of 120 and a total population of 600. It is anticipated that, at the time of the proposed closure, the planned capacity of 600 places will be sufficient to accommodate all pupils currently on the roll of Macclesfield High School, together with the new intake for Year 7. In the event that the NOR at the start of the autumn term this year and in future years exceeds the 600 places available, transitional measures will be employed by the proposed Academy to ensure that the needs of all pupils currently attending Macclesfield High School and those offered places for the Year 7 intake are met.

Further evidence on pupil populations can be found in the attached Academy 'Expression of Interest' form (Appendix 11), which shows that currently the number on roll (NOR) for the academic year 2010-2011 is 745. This will roll forward for 2011-2012, i.e. without the current Y11 pupils and current sixth form pupils, and including the new intake for September into year 7 (87 pupils at 1 March), resulting in an anticipated NOR of 605 pupils (745-122-105+87). Assuming 120 pupils were admitted each year into Year 7, for future years the figures rolled forward would be:

Academic Year	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17
Anticipated Y7	87	120	120	120	120	120
Y8	92	87	120	120	120	120
Y9	137	92	87	120	120	120
Y10	161	137	92	87	120	120
Y11	128	161	137	92	87	120
Total	605	597	556	539	567	600

9. Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.

The school proposed for closure is a foundation school with no faith designation.

Current School Information

10. Information as to the numbers, age range, sex and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is made at the school.

Macclesfield High School is a co-educational 11-18 foundation school with a published admission number of 180. The sixth form provision is delivered on

the LZ6 site, which facilitates joint sixth form education for Macclesfield College, Macclesfield High School and Park Lane Special School. This is a semi-formal arrangement underpinned by legal agreements but LZ6 is not a formal legal entity. The students are funded via Macclesfield High School if they are following an A level course or through Macclesfield College for applied learning courses. The number of mainstream pupils in the school in 2010 with Statements of Special Educational Needs was 4.6%. This school does not have provision specifically reserved for pupils with special educational needs.

Data referred to here is included in the attached Expression of Interest (Appendix 11)

Displaced Pupils

11. Details of the schools or FE colleges which pupils at the school for whom provision is to be discontinued will be offered places, including:

- a) any interim arrangements;
- b) where the school included provision that is recognised by the LA as reserved for children with special educational needs, the alternative provision to be made for pupils in the school's reserved provision; and
- c) in the case of special schools, alternative provision made by LAs other than the authority which maintains the school.

All children on the roll of Macclesfield High School at the date of closure will automatically transfer to the new Academy, unless they choose to move to another school which has places available:

For pupils in Y7 to Y11, future provision will be continued through the new 11-16 Academy.

A level students will transfer to Macclesfield College's roll and all new A level students will similarly be placed on the College roll.

Macclesfield High School does not have provision specifically reserved for pupils with special educational needs.

12. Details of any other measures proposed to be taken to increase the number of school or FE college places available in consequence of the proposed discontinuance.

There are no other measures planned beyond the proposed 11-16, 600 place Academy. School place supply and demand will continue to be monitored by the Local Authority.

Impact on the Community

13. A statement and supporting evidence about the impact on the community and any measures proposed to mitigate any adverse impact.

The proposed closure of Macclesfield High School, conditional upon the establishment of the Academy, is intended to have a positive impact on the community by creating the opportunity for all-through provision on the Macclesfield Learning Zone site with sixth form provision that will go beyond the provision offered in a traditional 11 to 18 school and by retaining a non-denominational mainstream provision on the south side of the town and thereby maintaining diversity in provision and offering greater opportunities for maximising parental choice and satisfactory outcomes.

14. Details of extended services the school offered and what it is proposed for these services once the school has discontinued.

A condition of the Section 106 agreement for the Learning Zone site in relation to Macclesfield High School and Macclesfield College requires that the school site provides for community use. In the event that the Academy is established it is expected that any current provision will continue.

The accommodation leased by the tennis club and nursery provider on the site is to be retained by the Council and therefore provision will not be affected by this proposal.

Travel

15. Details of the length and journeys to alternative provision.

As educational provision will continue on the same site at the new Academy, there should be no change to pupils transport arrangements

16. The proposed arrangements for travel of displaced pupils to other schools including how they will help to work against increased car use.

As educational provision will continue on the same site at the new Academy, there should be no change to pupils transport arrangements

Related Proposals

17. A statement as to whether in the opinion of the LA or governing body, the proposals are related to any other proposals which may have been, are, or are about to be published.

The proposal to close Macclesfield High School is not related to any other proposal. However, It is proposed that the closure of Macclesfield High School should 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 Macclesfield High School.

Rural Primary Schools

18. Where proposals relate to a rural primary school designated as such by an order made for the purposes of section 15, a statement that the LA or the governing body (as the case may be) considered:

- a) the likely effect of discontinuance of the school on the local community;
- b) the availability, and likely cost to the LA, of transport to other schools;
- c) any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and the likely effects of any such increase;
- and
- d) any alternatives to the discontinuance of the school,

as required by section 15(4)

Not applicable

Maintained nursery schools

19. Where proposals relate to the discontinuance of a maintained nursery school, a statement setting out:

- a) the consideration that has been given to developing the school into a children's centre and the grounds for not doing so;
- b) the LA's assessment of the quality and quantity of alternative provision compared to the school proposed to be discontinued and the proposed arrangements to ensure the expertise and specialism continues to be available; and
- c) the accessibility and convenience of replacement provision for local parents.

Not applicable

Special educational provision

20. Where existing provision that is recognised by the LA as reserved for pupils with special educational needs is being discontinued, a statement as to how the LA or the governing body believes the proposal is likely to lead to improvements in the standard, quality and/or range of the educational provision for these children.

Not applicable

FORMAL CONSULTATION – FEEDBACK SUMMARY

1 Introduction

- 1.1 On 8 November 2010, a report was presented to Councillor Gaddum, Cabinet Member for Children and Families, detailing the outcome of informal consultation on a range of options for change to secondary school provision in Macclesfield and requesting permission to proceed with formal consultation on the preferred option of the closure of Macclesfield High School on 31 August 2011 upon the establishment of an 11-16 Academy on the same site with a pupil admission number of 120.
- 1.2 Formal consultation was authorised and this commenced on 15 November 2010 and concluded on 14 January 2011. As part of this formal consultation process, in addition to inviting written feedback on the proposal, two ‘drop in’ style events were organised in Macclesfield at Macclesfield High School on Monday 6 December between 16.00-20.00 and Macclesfield Town Football Club on Tuesday 7 December over two sessions between 13.30-15.30 and 17.00 – 20.00. Representatives from Macclesfield College, including the Principal, also attended to provide information at both events. Attendance at these events was low with only 47 attendees in total comprising of 32 people who attended the Macclesfield High School event and 15 attending the event organised at Macclesfield Town Football Club. A further event, organised by the College sponsor on 12 January, between 16.00-20.00, and was attended by officers of the Local Authority to facilitate further feedback on the Local Authority’s proposal to close Macclesfield High School. 20 people attended this event.
- 1.3 The following provides a summary of all feedback received during formal consultation. Copies of all the submissions are available for Cabinet Members to view at the Cabinet Office, Westfields, Sandbach, by arrangement with Diane Rogers and will be available for Members at the Cabinet meeting on 14 February. Members are advised to familiarise themselves with the consultation responses prior to the meeting.

2 FEEDBACK SUMMARY

- 2.1 Formal consultation has resulted in a total of 88 representations in response to the Council’s school closure proposal., which is illustrated in the following table.

Feedback Received			
For	Against	No View	Total
40	22	26	88

- 2.2 The various consultation events and feedback mechanisms implemented by the Local Authority have generated a total number of 88 responses. In addition to the questions raised about the school closure proposal, a number of questions have been directed to the Local Authority about the separate

proposal by Macclesfield College for the establishment of an Academy on the same site with effect from 1 September. It is important to note that this document is concerned with the feedback on the closure and not the proposed Academy. However, as the closure is to be conditional upon the establishment of an Academy on the same site, any concerns raised in relation to an Academy have been included in this summary and full details are available in the Feedback log, which is available for Members as mentioned in paragraph 1.3 above. In addition, all correspondence received, which has raised questions about the Macclesfield College proposal for an Academy, has been forwarded on to the Sponsor.

- 2.3 Included in the 88 responses is the feedback recorded at the public 'drop in' events held in December together with any feedback presented to the Local Authority about the school closure proposal at the event held by, Macclesfield College, the preferred Academy sponsor, on 12 January.
- 2.4 Of the 88 responses received, 40 indicate support for the proposed closure of Macclesfield High School. This is compared with only 22 responses confirming opposition to the proposed closure. Included in the 88 responses are 26 submissions not expressing a view on the proposed closure, but instead raising a number of questions, including many queries about the College proposal to establish an Academy, which have been forwarded on to the sponsor as part of this process.
- 2.5 Comments received by the Local Authority have been in relation to a number of issues perceived by consultees as key to this school reorganisation process. These include concerns about the viability and sustainability of the proposal and future curriculum delivery and staffing issues. Once again, many of these queries relate specifically to the proposed Academy and not the Local Authority proposal to close Macclesfield High School, but as they are relevant to the decision-making process they have nevertheless been summarised for Members in this report.

3 Areas of Concern - Feedback During Formal Consultation

- 3.1 The main areas of concern raised by interested parties are shown in the table below. The number of responses received about each concern illustrates that, these are, broadly speaking, of equal importance to consultees. However, it is interesting to note that the majority of comments focused on the viability and sustainability of the proposal to close Macclesfield High School and establish an Academy on the same site.

Specific Areas of Concern	Total
Viability & Sustainability	48
Curriculum Delivery	46
Staffing at the Academy	37
School Management	25
Academy/Sponsor	31

- 3.2 A list of extracts from the consultation responses are listed below to indicate to Members the feedback received in relation to these specific areas of concern. Feedback has been received on other issues, such as transitional measures for pupils, general views about the proposed reorganisation and the impact on other mainstream schools in the Macclesfield area. Some of the comments stated by respondents were to demonstrate support for the proposed closure and others to justify the decision to oppose the proposal. The extracts below have therefore been organised to reflect this.

Viability and Sustainability - Support for the Proposal

'I am convinced that the establishment of an Academy that can build on the considerable effort that has already gone into the establishment of an educational partnership with the College is a good idea.'

'The proposals represent a positive step forward for Macclesfield's families, pupils and schools and, in particular, are very important for the future of the provision of education in the south of the town.'

Viability and Sustainability – Opposition to the Proposal

'What school can possibly thrive when it can't offer a full curriculum? And a school with 120 in each year group, staffed accordingly, cannot possibly offer that.'

'Is this sufficient to provide funding for a broad and balanced 11-16 curriculum? If not and the school wishes to expand and is successful in doing so will this not bring instability to other schools in Macclesfield?'

Curriculum Delivery - Support for the Proposal

'We were really saddened by the threatened closure of the school which we feel has outstanding facilities and were disappointed that such a new establishment could face the axe....As a community perhaps we can back this "flagship" school. Its connections with the college can only benefit students as they progress through the education system.'

'There is a broad range of subjects both academic and vocational offered to allow students of all abilities to achieve their maximum potential.'

Curriculum Delivery – Opposition to the Proposal

'We do not want our son put in a position where curriculum options are reduced or, in the worst case scenario, the school closes and pupils have to be redistributed.'

'How can the choice in the curriculum still be sustained or expanded with the loss of staff?'

'I am concerned about the school being perceived as a school which offers mainly vocational courses, thus deterring parents of more academically minded students and creating a skewed intake.'

Staffing at the Academy and School Management - Support for the Proposal

'The academy needs strong leadership with particular attention to discipline and behaviour balanced with effective pastoral care.'

'Crucial to its success is the recruitment of a "Super Head".'

'I also feel that the pastoral care offered by the High School is very good and I wouldn't want to see this suffer.'

Staffing at the Academy and School Management – Opposition to the Proposal

'Will they retain the current national conditions of service for school teachers that will ensure recruitment of well trained high calibre teachers who will be necessary to the school's success in the longer term.'

'The results achieved at the High School have been increasing over the last year and there is a good and strong commitment to its future from parents, students and staff.'

The Academy Sponsor - Support for the Proposal

'The academy proposal is very exciting.'

'I acknowledge that the College has a good Ofsted report and feel that the High School will only benefit from their support.'

'We support the running of an academy by the college management as the most logical use of the site and in the hope it will provide similarly high standards in the new academy.'

'I feel that the links between the School and the College are essential and therefore support the closure of MHS to facilitate this. It is important that opportunities are made available for young people.'

'I support the proposal to open Macclesfield High School as an academy. The facilities and teachers are wonderful and it would be a waste if the school closed.'

The Academy Sponsor – Opposition to the Proposal

'If the school should fail, and not get enough numbers, presumably the excellent facilities will go to the College, and not to the school children of Macclesfield, for whom it was built.'

'I'm uncertain that this proposal, unlike the one that superseded it, solves the current problem. In the eyes of many parents, the new academy will be the old school re-badged.'

General Comments – Support for the Proposal

'It is extremely important that the academy is seen to be offering 11-18 education since it will be in competition with other 11-18 secondary schools in the town and will be seen as "the poor relation" by parents and others if not.'

'Having a son (at MHS) with special educational needs I want to ensure there is the least possible disruption to his school life as possible.'

'Let's hope a decision is made with some speed as this uncertainty cannot help both students their parents and even the staff from a very hard working school.'

General Comments – Opposition to the Proposal

'The development of collaborative working arrangements across the town will be lost and there will be a return to a very competitive educational environment...'

'Changing the name of the school and down sizing it to suit the numbers the school can attract does not fundamentally improve the school.'

4 Pupil Participation – MHS

4.1 In the week commencing 10 January 2010, pupils in all year groups at the High School were presented with information by staff at the school on the proposal to close Macclesfield High School upon the establishment of an Academy on the same site and were invited to submit their comments in response to a set of specific questions as listed below:

- 1 Do you hope the school remains open on this site?
Do you think the proposed academy provides a good solution for the
- 1a area?
- 2 Do you have any concerns about the proposed academy?
Would you like someone from the college to speak to your house or
- 3 year group?
Do you think that a student committee would be helpful to present
- 3a your views?
Do you think informing you through assemblies and form periods
- 3b would be sufficient?
- 4 Do you think there are benefits to the proposed Academy?

4.2 The outcomes of the consultation for all year groups are shown below.

	YES	NO	NOT SURE	NOT ANSWERED	TOTAL	TOTAL ANS
1	421	25	75	5	526	521
1a	240	59	219	8	526	518
2	80	339	95	12	526	514
3	131	207	145	43	526	483
3a	148	173	154	51	526	475
3b	256	107	113	50	526	476
4	192	75	226	33	526	493

4.3 The question with the highest level of response was question 1, which asked for the pupils' views about the proposed closure of the school. 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, 192 pupils indicated that they saw the benefits of the proposed Academy compared with only 75 pupils who did not. A further 226 pupils were unsure. However, when asked in question 2 if the Academy proposal caused them any concerns, a majority of 339 pupils confirmed that it did not compared with only 80 confirming that it did and only 95 pupils who were unsure. When asked how they wished to be kept informed about the proposed changes, most pupils indicated that they were happy to be kept informed in assemblies and form periods.

4.4 Overall, the level of response was very high and provided a clear indication that the priority for pupils attending Macclesfield High School was for a school to remain on the Macclesfield High School site in the future.

4.5 The questions and concerns listed below have been extracted from the feedback questionnaires and reflect the views expressed by many of the Macclesfield High School pupils.

- It will solve the money problem and will hopefully give us more opportunities
- All the academy proposal is doing is saving the school, changing the sponsors and funding.
- Does it mean we will carry on as normal?
- Do we need a different uniform?
- Not really changing anything but the school name
- Get better links with the college so we can do courses with our A levels
- You get a place in the 6th form and the school a chance to stay open
- It might make more people come to the school, also it would give the school a good reputation
- There will be no change in teaching and learning areas.
- Also people won't lose their jobs
- How will you pick the teachers to stay and teachers to go?

- More GCSE options
- Better opportunities
- The school stays open - no competition to get into other schools
- The plan might fail then we will have no school

5 Other Key Submissions

5.1 Members will wish to consider the following key submissions:

Governing Body, Macclesfield High School

The Governing body of Macclesfield High School have indicated their support for the proposal to close the high school upon the establishment of an Academy on the same site. However, governors have indicated that they feel that the Academy should be presented as part of the full 11 to 18 provision and beyond that would be available as part of the Macclesfield Learning Zone.

The submission also stated that 'parent governors felt that it was important that their children would continue to be taught in the sixth form by those good teachers who had previously taught their children at KS3 and KS4'.

The submission confirmed that the view of the governing body is 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'.

Macclesfield High School Staff

The level of responses from staff employed at Macclesfield High School has been very low with only 3 submissions as set out below:

Of the feedback received, one staff member confirmed support for the establishment of an Academy stating that it could build on the considerable effort that had already gone into the establishment of an educational partnership with the College, but expressing concern about the viability and sustainability of a small 4-form entry school and without some transitional funding.

A separate response demonstrated support for the establishment of an academy that offers 11 to 18 educational provision on the Macclesfield Learning Zone campus stating that this would be in line with the original concept of the Macclesfield Learning Zone as an inter-related group of partner educational establishments on one site feeling also that the transition for students from MHS to the Academy would be seamless.

The final response confirmed support for the proposal but expressed concern about the unknown implications for current staff if an Academy is established.

Acting Executive Headteacher, Macclesfield High School.

In addition, concern has been expressed that the proposal to retain four providers of secondary education in the town does not address the issue of surplus places and has the potential to impact on collaborative working practices by increasing competition between schools in the town. Further concern has been raised about the impact on sixth form provision if the college becomes responsible for the LZ6 (Learning Zone) provision at a time when reductions are proposed in sixth form and FE sector funding. Confirmation has been received that this view is supported by the majority of governors of Tytherington High School.

David Rutley, MP for Macclesfield

The submission received stated that 'the proposals represent a positive step forward for Macclesfield's families, pupils and schools and, in particular, are very important for the future of the provision of education in the south of the town'. However, whilst it was acknowledged that many options had been actively considered during this reorganisation process but that no others had met the agreed evaluation criteria, it was considered regretful that more options were not available for parents to consider during formal consultation.

Diocese of Shrewsbury

The issues raised by the Diocese are around sustainability with concern about 'the increasing competition amongst the four schools for a declining student population'. The view expressed is that any plans for the future provision of education 'should not seek solely to address immediate issues'. The Diocese is concerned that an Academy will not address the surplus places problem affecting Macclesfield but could instead have a 'deleterious impact on the curriculum, staffing and financial planning of the other three schools' if an Academy is successful in increasing the number of applications for places at the school. These views have been echoed by the Governing Body of All Hallows Catholic College.

Governing Body, All Hallows Catholic College

The Governing Body has confirmed its support for parental choice and diversity of provision, but has concerns that the proposal does not address the surplus place issue if four schools are to continue, increasing competition between schools at the expense of collaborative working.

Disappointment has been conveyed that the option of establishing a split site school through the closure of Macclesfield High School and the expansion of Tytherington High School had been dismissed 'in favour of re-branding Macclesfield High School', acknowledging that 'in linking Macclesfield High School to another school in order to improve educational standards seemed a logical solution to the performance issues'.

Full details of the aforementioned responses are available for Members to view in the Cabinet Office between 28 January and 14 February.

6 Consultees

6.1 The guidance requires those bringing forward proposals to consult all interested parties. The mechanisms employed by officers together with a list of consultees are provided below at paragraph 6.2.

6.2 List of Consultees

Pupils at the school	Macclesfield High School	Pupil Questionnaire
Governing body of the school	Macclesfield High School	Email & Meetings
Teachers and other staff at the school	Staff body	Letter/Briefings/Email
Families of pupils at the school and potential future pupils for 2011	Parents and carers	Letters mailed to Parents/Carers, public events
Neighbouring Local Authorities - where potential for significant cross-border movement of pupils	Stockport, Derbyshire Staffordshire, Trafford	Letter by Email
Governing bodies, teachers and other staff	At schools potentially affected	Briefings & Email
Families of pupils at MHS feeder primary schools	Whirley, Ash Grove, Broken Cross, Gawsworth, Hollinhey, Ivy Bank, St John the Evangelist, Wincle, Park Royal, Puss Bank	Email to be cascaded to pupils (newsletter/pupil post)
Other Primary schools	Macclesfield	Email to be cascaded to pupils (newsletter/pupil post)
Diocesan Authority and the Bishop of	Catholic Diocese of Shrewsbury Anglican Diocese of Chester	Letter by Email:
YPLA (LSC) - directly funding 16 - 19 provision	North West	Letter by Email:
MP of the constituency affected	David Rutley MP	Letter by Email:
Councillors - Ward Members	Macclesfield	Letter by Email
Local District / Parish where the subject school is located	Bollington, Gawsworth, Henbury, kettleshulme, Mottram St Andrew, Nether Alderley, Prestbury, Macclesfield Forest & Wildboarclough	Letter by Email:
Trade Unions of staff	At schools potentially affected	Letter by Email
Any other interested party	Cre8 youth and community project, Macclesfield Youth Achievement Foundation, Macclesfield School Sport Partnership (SSP)	Letter by Email
The wider community	Macclesfield and beyond	Local press releases, radio, Cheshire East website, public consultation events.



FORMAL PUBLIC CONSULTATION

**PROPOSAL FOR THE
CLOSURE OF**

MACCLESFIELD HIGH SCHOOL

UPON

**THE ESTABLISHMENT OF AN
ACADEMY**

15 November 2010 to 14 January 2011

Cheshire East Council
Children & Families Services
School Organisation and Capital Strategy
Delamere House, (EC)
Delamere Street,
Crewe,
Cheshire CW1 2LL

www.cheshireeast.gov.uk/schools

Formal Consultation on Proposed Change to Secondary School Provision in Macclesfield

At the meeting of 8 November 2010, Councillor Gaddum, Cabinet Member with responsibility for Children and Families, approved formal consultation on a 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.

Approval was also given for the continuation of liaison with the Department for Education (DfE) on the confirmation of Macclesfield College as its preferred Academy sponsor. The Council will also continue to liaise with the DfE during this period regarding any further sponsors which may emerge.

Councillor Gaddum approved the recommendation that the Local Authority, with the DfE and Macclesfield College, take the appropriate steps to prepare for the implementation of the new arrangements with effect from 1 September 2011.

The Council is therefore seeking your views on this proposal up until Friday 14 January. A final decision to close Macclesfield High School will be conditional on the establishment of a new Academy on the same site.

The Council is supporting the proposal for closure to enable the establishment of a 600 place Academy (11-16 year olds). It is considered that Macclesfield College would be a strong educational sponsor and would have the appropriate skills and resources to support the Academy in the longer term. If the proposal is approved then the Sponsor would be responsible for running the Academy and, working with local partners, would provide a full range of courses to meet students' academic, vocational and pastoral needs.

Macclesfield College already enjoys close links with the High School thanks to their shared site on the Learning Zone and joint management of the LZ6 Sixth Form College. The proposed option would provide young people with clear progression routes from age 11 to GCSEs through to A Levels or vocational qualifications and on to higher education degrees, **on one modern 11-18 campus.**

The proposed timescale for implementation of 1 September 2011 would reduce the period of uncertainty for all of those potentially affected by this proposal. Should the proposal to close Macclesfield High School be approved after this consultation, 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 existing site without any interruption.

All interested parties are now invited to comment on the proposal. There is a response form at the end of this document which you can complete and return to the Council up until the end of the process on 14 January 2011. In accordance with statutory requirements, the consultation will last for a minimum of 6 weeks and during this time we hope to gather as much feedback as possible. Further details about how you can take part in this process are included at the end of this document.

About this consultation document:

This document has been produced by Cheshire East Council as the first part of the formal public consultation process with pupils, parents, staff, governors, the local community and other key stakeholders. It seeks the views of all these interested groups on the proposal to close Macclesfield High School with effect from 31 August 2011 in order to establish an Academy on the existing site. Included in this document is information about the outcome of the recent informal consultation on options for change, which ended on 8 October 2010, and provides background information on the key issues facing the Council to explain why this proposal has been put forward for formal consultation.

Why do we need to make changes?**Background Information:**

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

1. Macclesfield High School (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.

For some time now, discussions have been ongoing with Cheshire East Council officers, school governors and headteachers in Macclesfield aimed at strengthening local secondary provision and to promote fair access to educational opportunity for all young people in the area whilst addressing the issue of a continued decline in pupil numbers resulting in surplus places in some of our schools.

Secondary School Forecast Formula (Pupil Forecasting)

The year 7 secondary school intake figures are arrived at by studying which primary school the pupils came from in the previous September. Using this information the percentage 'feeder school transfer rates' are calculated for each of the primary schools and this is based on an average rate transferring from that primary school to secondary school over the last three years.

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.

Surplus places

The current number of places available in the four high schools, including all sixth form provision, is 4,722. The number of pupils attending these high schools has fallen over the past years from 4981 pupils in 2002 to 4,570 in May 2010 (i.e. using the latest data from the summer 2010 School Census return), with a forecast pupil number for September 2017 of 4,558.

Based on the pupil forecasting formula and the pattern of transfer to high schools in the area, the distribution of pupils in Macclesfield is expected to deliver a fall in the number of pupils attending Macclesfield High School, which in 2010 is 809, to 531 pupils by 2017. The consequence of this is that if no changes are made the surplus places for Macclesfield High School by 2017 could be around 47.5% compared with the school's current surplus (for May 2010) of 20.1%.

As this forecast takes into account the current pattern of parental preference in the area, this forecast is based on the assumption that the current intakes at year 7 to the other three high schools will be maintained. The removal of surplus places is a government requirement since it leads to a significant financial drain on school budgets.

The proposed Academy of 600 places would reduce the number of pupil places at the Macclesfield High School site from 1012 (including the sixth form).

Pupil data forecasts for Macclesfield indicate there will be 611 surplus places for 11-16 year olds by 2017, equating to 14.6% of available places. Forecasts for Macclesfield High School indicate surplus places of 30.1% by 2017. Such high levels of surpluses put a significant strain on the budgets for all schools within Cheshire East, effectively diverting funding from provision for pupils into building maintenance and other costs that are unnecessary. Government guidance is clear that Local Authorities must take steps to reduce surplus places to acceptable levels, allowing some latitude for pupil mobility. The proposed admission number for the new school to replace Macclesfield High will ensure that the overall surplus places in Macclesfield will fall to 8.0% by 2017, which is within government guidelines.

Attainment and Achievement

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 to include the school within the National Challenge programme was a vital and necessary step to significantly accelerate improvements in pupil attainment. The invitation to Tytherington High School from the Council to provide Leadership and Management support to the 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.

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.

The cost of external interventions into the school during 2009-10 and 2010-11 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 absorbed 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 against a set of agreed fundamental criteria, is that further sustainable improvement would be best delivered with external support and an appropriate sponsor.

Population Forecasting

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.

Housing Analysis

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.

Informal Consultation

In order to address the aforementioned 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 the related proposal of the expansion of 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 further informal consultation 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.

Further informal consultation was therefore undertaken and during this process the Council received additional options for change (submitted under Option J) resulting in a total of 38 options for consideration, including the Council's own options (A to I). Two further options emerged through discussion with other stakeholders resulting in a total of 40 options.

Feedback received by the deadline of 8 October 2010 was summarised in a report for Councillor Gaddum and this was presented at the meeting of 8

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>

November 2010, together with the final list of options and the outcome of the options evaluation process. Copies of these documents are available on the Council's website at www.cheshireeast.gov.uk/schools.

Options Evaluation Process

In order to evaluate all options objectively in a fair and consistent manner a framework was produced, which included key criteria that must be met for an option to be recommended to the Council's Cabinet Member (Portfolio Holder) for formal consultation. The Evaluation Framework was endorsed as a robust process by the Council's Children and Families Scrutiny Committee at its meeting of 7 September.

The fundamental criteria included in the framework are:

- Improved Outcomes for Children – Attainment and Achievement
- Addresses Surplus Places
- Affordability
- Deliverability
- Sustainability

The overriding requirement in this evaluation process is for any preferred option to deliver improved attainment, achievement and outcomes for children and young people and to do so an option has to meet all the additional criteria.

An Evaluation Panel, chaired by Head of Strategy, Planning and Performance and including representatives of the Cheshire East Admissions Forum and Officers of Cheshire East Council was established to apply the agreed framework. This group met on four occasions.

The analysis and evaluation of the 40 options concluded that the single preferred model, which most closely satisfied the agreed set of fundamental criteria is **the closure of Macclesfield High School and the opening of an 11-16 Academy on the same site for September 2011**. Full details about this evaluation process are available on the Council's website.

Establishing an Academy

To progress the establishment of an Academy it has been necessary to liaise with the DfE to agree an appropriate sponsor. The identified sponsor (Macclesfield College) will be required to undertake a consultation with stakeholders as to the ethos, character and operation of the potential new academy. If timescales allow, this consultation will coincide with the Local Authority's consultation on the proposed closure of Macclesfield High School. The sponsor would then take these views into account in developing proposals further and gaining the required approvals from the DfE for progression.

If approved, the Local Authority will work with the sponsors and DfE to ensure a smooth transition between the Macclesfield High School as 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.

The benefits

The establishment of a new Academy could provide many benefits, including:

- A transitional grant for the Academy that would not be available otherwise.
- An opportunity to provide significant and sustained improvement in teaching, learning and pupil attainment.
- Sponsor involvement, which would provide expertise and continuous support throughout the delivery and operation of the Academy.
- The opportunity to establish effective partnerships, encourage true inclusion and promote community involvement.

As the Council's preferred sponsor, Macclesfield College would bring much experience and expertise to the development of the Academy. These include:

- The College's senior team has an excellent track record of improving outcomes for learners by raising educational standards and the aspirations of young people. The College is also a Beacon College, which is the Government's recognition of excellence, and commits the College to working with other institutions to help them to raise their performance and the College was judged as Outstanding in its most recent Ofsted inspection.
- The College propose to appoint an inspirational Head Teacher as a leader for the Academy, and the College's senior team are confident of applying their educational expertise in a secondary setting
- As a partner, co-located on the Learning Zone, Macclesfield College would be in a unique position to provide a sustainable solution to the problem of surplus places, with the minimum disruption to the current students of Macclesfield High School and their parents
- As an 11 to 16 school, the Academy could be more economically viable with 4 forms of entry and so a total planned student population of 600. Shared services across the Learning Zone campus would enhance efficiency and leave more money available to support teaching and learning
- The College already has a number of partnerships with high profile employers in the region which will benefit the school including existing links with Higher Education, including Manchester Metropolitan University's Institute of Education.
- The proposal opens up the possibility of new curriculum opportunities for Academy students, through partnerships with employers accessed through the College's extensive employer engagement

- Under this proposal the Learning Zone would be able to offer young people clear progression routes from Year 7 right through to Higher Education degrees on one modern integrated campus. Making these opportunities fully visible and accessible on a single campus would raise aspirations.
- Macclesfield College would also build on and enhance its partnership with Park Lane Special School, seeking to develop the opportunities for Park Lane's Key Stage 4 students based upon successful experience within LZ6. Park Lane Special School has also been judged Outstanding by Ofsted and the College would wish to draw on their expertise, particularly in the development of a personalised curriculum and behaviour management

The sponsor will also be consulting the community separately about their proposal to establish a new Academy and about their vision and ethos.

School Admissions

In the event that a 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.

Future admission arrangements for the new Academy would be the responsibility of the Sponsor and further information about this will be presented during the consultation process implemented by the sponsors.

Your Role in this Formal Consultation Process

Please consider the information presented in this document and return your comments and views to this Council by 14 January by completing the feedback form provided at the end of this document. All feedback is extremely important to us.

All feedback received during formal consultation will be collated and presented in a report to the Cabinet Member with responsibility for Children and Families on the proposed date of 7 February 2011 (date to be confirmed) with an analysis of the responses received and recommendations on the next steps, which may include a decision to publish statutory notices on the proposal to close Macclesfield High School with effect from 31 August 2011, conditional on the establishment of a new Academy for September 2011 utilising the same site.

If a decision is taken to publish statutory notices, there will be a further opportunity to send comments to the Council about the proposal. The feedback received will be summarised in a report with an analysis of the outcomes of the consultation and recommendations on the next steps. The

report is then taken to a meeting of the Council's Cabinet Sub Committee, where they have the following options;

- To decide not to take the proposals any further
- To change the proposal in some way
- To proceed with the original proposal

If the Council's Cabinet Sub Committee wanted to make a major change to the proposal then a fresh public consultation would need to be carried out.

Key Dates:

8 November 2010	Formal Consultation approved
15 November	Consultation begins
14 January 2011	Consultation ends
7 February 2011 (TBC)	Cabinet Member to consider outcomes from formal consultation and for a decision on the next steps, which may include publishing statutory notices on the proposal to close Macclesfield High School
14 February 2011 (TBC)	<i>If approved</i> , statutory notices published conditional on the establishment of an Academy on the same site. (6 weeks fixed period for representation to be made to the Council)
28 March 2011 (TBC)	End of Notice Period
Date TBC	Report to the Council's Cabinet Sub Committee for a decision on the proposed closure of Macclesfield High School conditional on the establishment of an Academy
31 August 2011	<i>If approved</i> , implementation of School closure
1 September 2011	Academy opens

Consultation Events

There are two public formal consultation 'drop in' events arranged for December. These are open to anyone interested in the proposed Macclesfield reorganisation:

6 December at Macclesfield High School from 4 - 8pm

7 December at Macclesfield Town Football Club from 1.30 – 3.30 & 5 – 8pm

You are welcome to attend whichever of the two events is more convenient for you. All interested parties will be able to meet with officers from the Council and the College who will respond to any questions and will record feedback. Further information on is available on our website at www.cheshireeast.gov.uk/schools

During this formal consultation period there will be a separate consultation on the establishment of the proposed new Academy, which will be led by the Sponsor and will give you insight into this proposal.

How to be involved

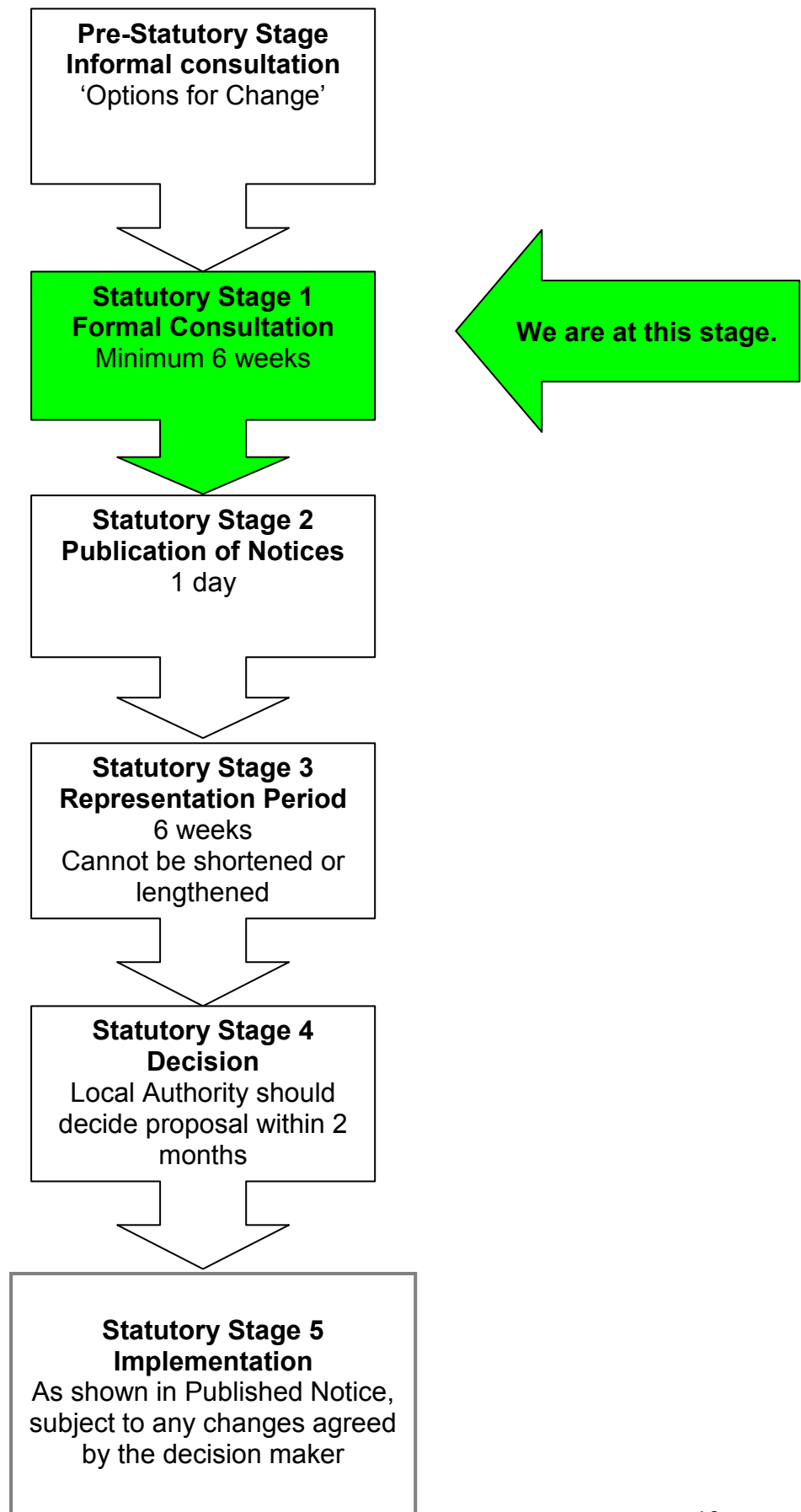
1. Send in your views using the electronic feedback form available on our website at www.cheshireeast.gov.uk/schools or by completing the paper version of the form provided at the end of this document:

Completed paper feedback forms should be returned to the Council at the address provided on the form.

2. Attend the 'drop in' events in December where you will be able to discuss the proposal with officers of the Council and provide feedback.
3. Alternatively, you may prefer to return your comments by:
 - e-mail to SOCS@cheshireeast.gov.uk;
 - telephone on 0300 123 5012;
 - letter to School Organisation and Capital Strategy at the address on the front page of the document.
 - fax to 01270 686491

Informal consultation will end on **14th January 2011**. Please note: Any feedback received after this deadline cannot be considered.

All feedback is extremely important to us and we would like to take this opportunity of thanking you for your continued support during this process.

Formal Consultation**Overview of the Process for Agreeing School Organisation Changes**

Consultation Feedback Form

You are invited to comment on Cheshire East Council's **proposal to close Macclesfield High School upon the establishment of an 11-16 Academy on the same site for September 2011.**

Please refer to the Consultation Document attached, which provides you with further information about this proposal.

Do you support the proposal to close Macclesfield High School upon the establishment of an 11-16 Academy on the same site for September 2011?	Please tick (✓)		
	Yes	No	No View

Comments (if any)

(Please continue on a separate sheet, if required.)

Please indicate below any of the following that apply to you:

	Please name the school
Parent/Carer of Present Pupil(s)	
Governor	
Member of Staff	
Pupil	
Other (please specify)	

Optional:

Name:	Date:
Address:	Signed:

Please return this form to:

Cheshire East Council, Children and Families Services, School Organisation and Capital Strategy, Delamere House (EC), Delamere Street, Crewe CW1 2LL, **by Friday, 14 January 2011.**

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PROPOSAL FOR THE CLOSURE OF MACCLESFIELD HIGH SCHOOL UPON THE ESTABLISHMENT OF AN ACADEMY

Frequently Asked Questions

ACADEMIES

Q. What are Academies?

Academies are publicly funded independent local schools that provide free education. They are not Local Authority (LA) maintained schools. They are all-ability schools established by sponsors such as businesses, further educational providers, faith or voluntary groups working with partners from the local community. Academies provide a teaching and learning environment that is in line with the best in the maintained sector and offer a broad and balanced curriculum to pupils of all abilities, focusing on one or more subject specialisms.

Q. What is the legal basis of an Academy?

Academies are publicly funded independent schools with sponsors, and are not governed by the same legislation that applies to the maintained sector. However, the Funding Agreement signed between the Academy and Secretary of State, replicates many of the Education legislative expectations.

Q. Do Academies have to serve the immediate local community?

Under section 482 of the Education Act 1996, Academies must provide education for pupils of different abilities who are wholly or mainly drawn from the area in which the school is situated. They are often located in areas of disadvantage and are expected to offer facilities to the local community and community of local schools, for example through sharing their sports, arts or ICT facilities, perhaps through evening provision and during holidays for young people and adult learners.

Q. Is an Academy selective?

Depending on its specialism(s) an Academy may be able to select up to 10% of pupils by aptitude. This is in line with the legislation for specialist schools generally. Although an academy has specialist status, it must offer a broad and balanced curriculum and offer a range of examination opportunities.

Q. I thought only outstanding schools could become Academies?

Previously Academies have opened in schools and areas with challenging circumstances and where there is a ambitious school improvement agenda. Most schools that have previously changed into Academies had very low results and therefore, as in other schools, it will take time to improve sufficiently for this to show in GCSE results. The new coalition government has introduced additional Academy legislation to enable outstanding schools to also become Academies.

6th FORM PROVISION**Q. Will becoming an 11-16 Academy be inferior to other local schools offering 11-18 education?**

No, fundamentally, all Secondary Schools are 11-16 schools following which, learners choose their preferred pathway according to their individual needs, the range of local provision and the quality of Information, Advice and Guidance (IAG). The Academy proposal will maintain the high standard of teaching currently provided by the LZ6 Sixth Form College, which is currently a shared provision between the High School and Park Lane School and the College. The proposed Academy has the real potential to provide young people with clear 'all-through' progression routes from age 11 to GCSEs through to A Levels or vocational qualifications and on to higher education degrees, on one modern 11-18 campus. This unique opportunity will generate on one campus the full range of provision which can actually offer bespoke learner pathways without the need for additional travel or incurring the difficulties of integrating curriculum structures.

It is proposed that students (only if they do A Levels) would continue to be taught in the sixth form by those teachers who may have previously taught their children at KS3 and KS4 as part of the Academy. Recent Ofsted inspections have judged teaching with LZ6 as being to a high standard and this has been illustrated by recent A level results.

The establishment of an Academy sponsored by the College would create 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.

GOVERNANCE**Q. How will becoming an Academy affect the Governing Body structure?**

The flexibility of the Academy governance model allows, in most cases, for converting schools to replicate their existing governing body if they wish to do so. There are some minimum requirements. These are that an Academy must have at least two parent governors, no more than a third of governors can be academy staff, and there can be no more than one LA Governor. Other than these core requirements, the flexible model allows the Academy Trust to appoint a Governing Body that is appropriate for their school.

Q. Are Governors personally liable if the Academy fails?

Personal liability will not arise if Governors carry out their duty acting in good faith. Academies are required to have Governor liability insurance with minimum cover of £10 million which insures against collective liability of the Governing Body acting in good faith.

Q. How will the role of Governors change if MHS closed and became an Academy?

The principles of governance are the same in Academies as they are in

maintained schools but the Governing Body has greater freedom to make decisions.

The new Academy would establish – an Academy Trust, a charitable company limited by guarantee, responsible for the strategic oversight of the Academy with control over the school land and other assets. The responsibilities will be similar to those in most maintained schools. The Governing Body can continue to delegate functions to committees, the headteacher or any other holder of an executive office. Governors should not get involved in the day to day management of the school. The Governing Body can also buy in additional skills and services such as HR support or training for Governors.

STAFF ISSUES

Q. Staff – who employs them?

The Academy employs staff and can negotiate with staff their own terms and conditions of employment. The Academy is responsible for the finances of the school.

Q. Do Staff of a Closing School Transfer?

During the Feasibility Study, the future structure of the curriculum and management of the Academy are developed by the sponsor and project team. Once the Academy is opened, staff then transfer across to posts in the new school and are protected by 'TUPE' rules

Q. What about new staff appointed after the Academy opens?

TUPE does not safeguard rights for new recruits appointed to posts in the Academy. It is a protection only for transferring employees.

THE SPONSOR

Q. How are Academies funded?

The government funds Academies directly. The revenue grant is at the same level as for other local secondary schools. There is also an implementation grant, specialist school funding and capital grants. The portion of the budget that was previously granted to the Council to support the school is paid directly to the Academy.

Q. What's in it for the Sponsor?

The sponsor sets up a charitable company trust and it is the company that signs the Funding Agreement with the Secretary of State. Some types of sponsors must make an initial financial donation. The sponsor names most of the board (which is also the Governing Body of the Academy) though there must also be headteacher and parent representation. Through these Governors the Academy has some accountability to the local community.

If serious problems arise with standards, discipline or health and safety at the Academy, the Secretary of State can appoint additional governors. The sponsor

sets the ethos, aims and aspirations of the school. The sponsor makes no financial gain and cannot make any charge to parents.

Q. What Does a Sponsor Bring to the Academy?

The Government's intention is that sponsors will provide an inspirational and motivational vision for the Academy, with fresh ideas, enthusiasm for innovation and a challenge to traditional ways of thinking. All sponsors are expected to demonstrate a commitment to high quality education and vocational training, Higher Education and offering a broader curriculum thus raising standards.

Further education sponsors bring an understanding of the business sector and first hand knowledge of the needs of employers in terms of vocational education and training.

Q. What gain is there for a sponsor – does the sponsor own the school and can the sponsor change the usage of the site?

The sponsor sets up a charitable company trust and it is the company that signs the Funding Agreement with the Secretary of State. The sponsor sets the ethos, aims and aspirations of the school. The sponsor makes no financial gain and cannot make any charge to parents.

Q. What about the name and uniform of the proposed Academy – will it change?

At present it is too early to provide any specific information on these issues, as part of the consultation process the sponsor will consult widely with parents, staff and the community on its vision and ethos for the Academy. Issues such as this will be considered and opportunities for feedback will be provided.

ADMISSIONS

Q. How will the transition be managed?

If you are a parent or carer of a child or children due to transfer to high school in September 2011, and have already completed your application for a year 7 place by the closing date of 31 October 2010, you may now have concerns about the Academy proposal. Admissions officers will therefore be available during the consultation to provide you with further information and to respond to any queries that you may have. Information will also be made available on our website.

Q. Will all current pupils at the High School transfer to the Academy?

In the event that a final decision is taken to implement the proposal for September 2011, all pupils on the High School roll at the time of closure, together with pupils who have been offered and accepted places, would automatically be entitled to a place at the Academy. The Council would work closely with the College and the Department for Education to provide more information and to ensure a smooth transition between the High School and the Academy and guarantee continuity of provision for pupils and the TUPE transfer of staff.

IMPLEMENTATION

Q. What are the principal stages in the establishment of an Academy?

1. Initial Phase

The Office of the Schools Commissioner (OSC) will support the development of partnerships between Sponsors and Local Authorities (LAs) to enable them and the Department for Education (DfE) to assess their secondary education and decide if a new Academy is the right solution for their needs.

Once partnerships have been established, a Statement of Intent letter is issued by the OSC to the Local Authority (LA). This confirms to the LA the sponsor's intention to work with them in taking forward the Academy Project. The statement of Intent has now been issued by the OSC with respect to an Academy sponsored by Macclesfield College.

2. Pre-Feasibility

Once the Statement of Intent has been issued, the Sponsor and LA will work together to prepare a formal Expression of Interest (EoI) for Ministerial consideration at the DfE. The EoI will clearly demonstrate the need for a new Academy in the area proposed and provide more details about the proposed Academy e.g. age range and pupil numbers. The DfE provides detailed guidance on the form that the Expression of Interest should take. Once an EoI has received Ministerial approval the project will move to the feasibility stage.

3. The Feasibility Stage

The length of the feasibility stage is normally determined by the statutory process of consulting to close the predecessor school. The purpose of the feasibility phase is to consult widely with key stakeholders to ensure the proposed academy meets their requirements of raising education standards and driving up wider community aspirations.

During this phase, the proposals in the EoI are developed further. In particular the sponsors vision and ethos for the Academy are developed into an education brief which will form the foundation of the Academy's curriculum.

A series of documents will need to be prepared to support the Academy proposal. These will allow the Secretary of State to judge whether to enter into a legally binding Funding Agreement to establish an Academy.

A project management company is appointed to co-ordinate and manage the wide range of tasks that will need to be completed ahead of the Funding Agreement. A number of specialists and experts will be drawn upon to complete technical aspects such as legal work and public relations. The project management company is responsible for overseeing the work of these specialists and ensuring that work is completed on time and within the budget which DfE has agreed.

4. The Implementation Stage

Once the Funding Agreement has been signed, the Implementation phase

commences and the remaining time ahead of the Academy opening will be spent preparing for a new school to open. This will include finalising management and staff appointments, agreeing the curriculum, undertaking Academy marketing and collaboration activities, and supporting school development plans. Where the Head Teacher is appointed prior to opening, the Head Teacher will be closely involved in much of this work with support from the project management company.

At the end of the phase, the Department completes final sign off on the educational plans and approves the academy for opening as an institution. Academies that open initially in the existing school buildings may be entitled to a small additional capital grant to cover costs such as renewed signage and other small capital projects required to open the school as an Academy.

5. Opening

The opening of the Academy is a major milestone. However there is still much work to be done to ensure it is successful. During the initial stages of this phase a School Improvement Partner will be appointed to provide ongoing advice and support to the Academy and its leadership team in its efforts to realise the Academy's vision and deliver sustainable improvements in educational standards.

For more information on Academies please visit the Department for Education website: www.education.gov.uk/academies

FORMAL CONSULTATION

Q. How can I get involved in the Consultation?

1. Send in your views using the electronic feedback form available on our website at www.cheshireeast.gov.uk/schools or by completing the paper version of the form provided at the end of the consultation document
2. Attend the 'drop in' events in December where you will be able to discuss the proposal with officers of the Council and provide feedback.
3. Alternatively, you may prefer to return your comments by:
 - e-mail to SOCS@cheshireeast.gov.uk;
 - telephone on 0300 123 5012;
 - fax to 01270 686491

Informal consultation will end on **14th January 2011**. Please note: Any feedback received after this deadline cannot be considered.

For	Against	No View	Comments
		1	Can they change their preference? What is an academy? Concerns that the sponser was not known before closing date. And also what courses the college may offer
		1	doesn't think the academy is viable so hasn't put her sons name down, wanted to know if anyone had looked at the real number. What would make parents choose Macc?
		1	he had talked to many people and they had said the proposed 4 institute model was not sustainable. Asked if the academy did fail would it revert back to Ce as this would cause rivalry with tytherington as the only CE school in the area. Would there still be opportunity to go to a 3 institute model in the future.
		1	LA state Status quo is not an option but that's exactly what it is. The difference is the college is picking up the tab Grave concerns about the long term sustainability Concerns that the fantastic facility would be gifted to the college when and not if it fails Concerns about the small number in the school and that it wont be able to deliver the current breadth of curriculum The SEN review should have been completed before the proposals were tabled. The cost of adapting a new building is considerably lower than the adaptation of a poor quality older building. Its not fair and will disadvantage the already disadvantaged group of people Risk of early failure and transfer of a fantastic asset to the college is increased because the sponsoring body is a college and not a school
		1	Can I change my preference?
		1	concerns over the fact the sponsor name was not available until after the closing date
		1	Parent of children potentially affected. Satisfied with current provision. Wanted to know what would happen with the headship and the breadth of the curriculum, also what part would CE have in the school and what the intake for next year was like and had it dropped.
		1	why was the option proposed when it was said there weren't the numbers. Why would parents sent there children to Macc? Would pupils be disrupted over the next 12 months and what happens if it is a failing academy?will EIP continue? What will happen to the staff and head will they stay the same?and who makes the final decision about being an academy.
		1	what will it mean for the pupils and will the governors stay the same? will they follow the curriculum and what will happen with the name and uniform?will the staff stay the same?
		1	what is an academy ? What will the curriculum be? What are the number for the new academy? Will staff be kept on? What will the new name be? And also what are the long term proposals.

For	Against	No View	Comments
		1	parent is worried when it comes time for him to apply for school. Would rather give money to fallibroome and tytherington as they would benefit instead of giving money to a sunk school. Also asked about senior management name and timescales
		1	General questions asked about the future provision under an Academy received from the College sponsor (see GQ1)
		1	if the Macc high academy goes ahead can I change my preference for a place in Yr7 next year? I have put Tytherington but only because I thought Macc high was closing. We would like him to go to Macc high due to the facilities
		1	Parent's concern was that the uncertainty over the future arrangements was having an impact on the number of children at Park Royal primary school, with parents moving their children in year 4 to different primary schools, in order for them to be in a feeder school to one other than Macclesfield High. This uncertainty was leading to instability. The parent does not have an issue with the academy proposal, but it does not solve the primary school issue. There is a need for a 'whole town' solution. Some parents do not wish their children to go to Macclesfield High sometimes relating to historic reputational issues. Is the proposed solution only papering over the cracks? Has the Local Authority researched the likely impact of the withdrawal of the Educational Maintenance Allowance (EMA)?
		1	meeting with three parents during the course of the session, all three meetings were very brief. A parent of a MHS child wanted to know whether arrangements for children with special needs would change if the school converts. Parents with children at a feeder primary and MHS were concerned about any changes to the admissions arrangements and also about the transitional costs of rebranding the school, and to parents of buying new uniform. A parent wanted to know what the process for statementing would be if the school converts.
		1	why can't we manage numbers to fill-up school evenly so there are less surplus places?
		1	Local Primary Governor – Wanted info on the process stages to implementation, will the EOI be made public once signed off? How can we reassure him that CEC will ensure that MHS succeeds and doesn't just 'wash its hands' of the problem. Will CEC have some say on the future running of the Academy?
	1		The option of an 11-16 academy with Macclesfield College and MMU will not provide a fair deal for students in the south of the town. Many responders to the proposal last summer were either saying 'do not educate our kids with their kids' or they were saying 'Keep Macc High as it is'. I don't think the latter group understood that the school could not go on as it was. The new offer may look fair but it will not be.

For	Against	No View	Comments
	1		11-16 academy with an intake of 120 per year will render it unviable. What school can possibly thrive when it can't offer a full curriculum? And a school with 120 in each year group, staffed accordingly cannot possibly offer that. He (her son) is a very very bright child at a MHS Feeder primary. I won't allow him to go to a school that has limited curriculum on offer, and is of a less than viable size. I had put Macc High 1st on my preference form because I believed in it. Now I don't and it doesn't feature on my list. What a waste.
	1		Now that this new proposal is the only option, we have reluctantly decided not to put Macclesfield High as one of our choices. We do not want our son put in a position where curriculum options are reduced, or, in the worst case scenario, the school closes and pupils have to be redistributed. 1. Please can you tell me why the old criteria no longer apply? 2. What has changed that will make the school work despite it not addressing the old criteria? 3. Can you give me any examples of schools operating with 600 children and a full curriculum? 4. Is any additional funding available? I note that city academies are expected to have an endowment fund of £2m set up by a sponsor. Does the college have £2m to put into this?
	1		The school will still remain as it is now in all but name. As a tax payers, we have already paid out £15million for the build, £2million to Fallibroome not to expand and are being expected to 'swallow' £500k budget deficit from MHS. At the end of this process we will have absolutely nothing to show for it. One of the best equipped and newest school buildings in East Cheshire will have been handed over to Macclesfield College. CEC loses all control over the use of the building both now and in the future. There are many pupils with SEN... what happens if the school fails again and we find ourselves in a repeat of this process in a 2 or 3 years time. Do Macclesfield college carry the debt, retain the building or..... These are all points which should be raised now while the council still has some control over its premises. I have grave reservations about the viability and wisdom of this proposal. I seem to remember that you said you would choose three.
1			Local Governors believe the new academy is to be presented to the public and marketed in the correct manner. The academy be viewed as part of the full 11 to 18 provision and beyond that would be available as part of the Macclesfield Learning Zone. Parent governors felt that it was important that their children would continue to be taught in the sixth form by those good teachers who had previously taught their children at KS3 and KS4 as part of the Macclesfield Academy. The sixth form was not included in the areas for improvement in the OfSTED Notice to Improve. 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.

For	Against	No View	Comments
	1		We are very concerned about the new proposal for the future of Macclesfield High school. The proposal that Macclesfield High become a 'city style academy' run by sponsoring organisations was not one of the options on which public consultation took place. This is the same type of academy model that has failed to improve many so called 'failing' inner city schools in recent years and is very different from the new style academy structure that Fallibroome hopes to benefit from.
		1	Opinion not relating to the Formal Option. Against moving Sixthformers from THS to Macc College for their Further Education?
1			I am in support of the proposal to close Macclesfield High School and reopen immediately as an Academy, however I am a concerned about any disruption to my son and other pupils at Macclesfield High School when this process is going through. Additionally will ALL the teachers remain the same at Macclesfield High School when it becomes an Academy? On another matter would there be any change to the school uniform and current Student Planners? I will be looking forward to seeing what your final decision is regarding Macclesfield High School. I want to ensure there is the least possible disruption to his school life as possible
1			As this proposal in principal seems to be the best solution, I do have a few issues. My main concern is whereas a smaller school with a less student/teacher ratio is good, will the students still have the variety of subjects and opportunities as the rest of the students in the town? I achknowlege that the College has a good Offsted report and feel that the High School will only benefit from their support . I have always felt that the High School needs a good Head and Management team behind it as well as some good press. My husband and myself have two daughters who attend the school and are both happy and doing really well. However as one is due the sit her GCSE's next summer the students need some positive feedback. Lets hope a descision is made with some speed as this uncertainty cannot help both students their parents and even the staff from a very hard working school.

For	Against	No View	Comments
		1	I attach information provided for by a local feeder primary school. Although not the only school affected by the skewed admissions policy organised for Macclesfield parents it is the one most seriously damaged. Parental choice is heavily constrained. Parents would rather not move their children in year 4 and 5 but feel forced to do so if they are to have the choice of secondary school they wish for. This pupil movement is a direct response to the admissions system and has nothing to do directly with parents satisfaction with Park royal School as a suitable school for their child. If proof were needed then note that younger siblings are left in the school. In the eyes of Governors the admissions system is damaging local feeder primaries and the pupils who attend the school through the budgetary impact of pupils leaving, through the loss of those pupils educational input into the school and to the emotional trauma amongst friendship groups that accompanies them leaving. It is my understanding that admission arrangements must not be such as to undermine or damage neighbouring schools.
		1	Thank you for your letter of 15th November and your invitation for feedback. It seems to me that the proposed resolution is essentially a change in name for Macclesfield High School and does not actually address the originally stated problem of falling numbers and not enough secondary age children to fill the available spaces. I am also not clear how it addresses the second and, apparently, more emotive issue of admissions criteria in Macclesfield that surfaced during the consultation process. As I understand the Academy route, the new college sponsored school would, like Fallibroome, have the scope to set its own admissions criteria, leaving Tytherington as the only truly state run, community secondary school providing the safety net for the whole town. That is a great USP for Tytherington but also leaves them with the least modern and possibly most crowded facilities in town. I could see positives in the original proposal (Tytherington & MHS merger).
	1		I'm uncertain that this proposal, unlike the one that superceeded it, solves the current problem. in the eyes of many parents, the new academy will be the old school re-badged. As a parent of a feeder primary student, i don't think that this will be enough to encourage me to send my child there, when there are three other schools in town, with one no greater distance from home. As a governor, i can't see how this is going to stop the egress of students from key stage 2 from parkroyal into fallibroome feeder schools; currently this costs our school £££, to say nothing of the emotional cost to children who lose friends they have spent their school life with. and, as these children are often from 'good' backgrounds and expected to reach level 5 by the end of year 6, the school loses out in the league tables as other schools profit from the schools good work. On balance, the proposal does not, in my humble opinion, provide an adequate solution to what is a whole town problem.

For	Against	No View	Comments
1			The above proposal provides a fantastic opportunity to provide high quality education at the Learning Zone Site and I fully support it. However, lessons from the past must be learnt. The academy needs strong leadership with particular attention to discipline/behaviour balanced with effective pastoral care. Whilst I understand that entry criteria to secondary schools is probably beyond the scope of this consultation I really do think that the current system of "feeder schools" encourages a cynical manipulation of the system resulting in a "brain drain" away from Macclesfield and Tytherington High Schools. This is a vicious circle and needs to be addressed if the new academy is to be able to compete on a level playing field. Finally, "Macclesfield High School" is now a twice tainted name and must be changed.
1			We strongly support the new proposal as long as high educational and pastoral care standards can be achieved and maintained at the new academy. We would also like a broad curriculum to be maintained and a strong management team to be set up who have a clear vision on what they would like to achieve with the new school. Our son is currently in Year 6 at a local Primary School and is hoping to attend the new academy next year.
1			As a parent of a child at MHS I strongly support this option and feel that it would cause less disruption to my daughter and the school as a whole, which is a good school with excellent facilities, therefore I very strongly support this option. Obviously I would assume that a head teacher would be formally appointed.

For	Against	No View	Comments
	1		<p>I disagree with the proposal to close Macclesfield High School and reopen a school on that site as an Academy. This latest 'out of the blue' proposal, which was not even one of the options on which public consultation took place, would be disastrous for and for children on this side of town. What is the point in public consultation and a list of options, if this list (and public response to it) is then ignored and a new proposal is suddenly constructed and put forward? Six months ago we were told that Macclesfield High School wasn't viable with its reduced number of projected pupil numbers. Originally the favored option was a merger of Tytherington High School and Macclesfield High school. Although not perfect, this option would at least have addressed some of the issues affecting the school. I am so angry at the way the children and parents of our community have been treated by Cheshire East Council. The whole issue has been handled in an appalling way. For six months now, Macclesfield High School, a school with an improving G.C.S.E rate and one of the best A level results in the town has been hauled over the coals by Cheshire East, the local press and parents of children at other schools in Macclesfield. On 23rd September 2010, Ofsted inspector, Paul chambers, said of Macclesfield High School: "I am of the opinion that at this time that the school is making good progress in addressing the issues for improving and in raising student achievement" Taking into account Macclesfield High School's improved Gcse and A level pass rates, it seems to me that the school should be congratulated on their success, not criticised and threatened with closure and /or transformation into an Academy because of 'failure'. Michael Gove, the secretary of state for Education wrote to Local education authorities about their role in identifying underperforming schools which would benefit from becoming academies. This latest proposal is obviously a knee jerk reaction to this request. We are in a much worse position than we were 6 months ago. Who will want to send their children there now, in its present guise or any other whitewashed construct? The large number parents, who are moving their children from my child's primary school because of the lack of choice in this area of the town and filling up the feeder primaries for Fallibroome High School is tantamount to this fact. I have a child at Macclesfield High school and a child at a MHS Feeder primary. The uncertainty about secondary schools and the negativity about Macclesfield High has been hugely damaging to the primary school with a significant loss of pupils as well as a financial impact. The indecision has also had a negative emotional impact on many of the children.</p>

For	Against	No View	Comments
	1		<p>I disagree with the proposal to close Macclesfield High School and reopen a school on that site as an Academy. This latest 'out of the blue' proposal, which was not even one of the options on which public consultation took place, would be disastrous for and for children on this side of town. What is the point in public consultation and a list of options, if this list (and public response to it) is then ignored and a new proposal is suddenly constructed and put forward? Six months ago we were told that Macclesfield High School wasn't viable with its reduced number of projected pupil numbers. Originally the favored option was a merger of Tytherington High School and Macclesfield High school. Although not perfect, this option would at least have addressed some of the issues affecting the school. I am so angry at the way the children and parents of our community have been treated by Cheshire East Council. The whole issue has been handled in an appalling way. For six months now, Macclesfield High School, a school with an improving G.C.S.E rate and one of the best A level results in the town has been hauled over the coals by Cheshire East, the local press and parents of children at other schools in Macclesfield. On 23rd September 2010, Ofsted iinspector, Paul chambers, said of Macclesfield High School: "I am of the opinion that at this time that the school is making good progress in addressing the issues for improving and in raising student achievement" Taking into account Macclesfield High School's improved Gcse and A level pass rates, it seems to me that the school should be congratulated on their success, not criticised and threatened with closure and /or transformation into an Academy because of 'failure'. Michael Gove, the secretary of state for Education wrote to Local education authorities about their role in identifying underperforming schools which would benefit from becoming academies. This latest proposal is obviously a knee jerk reaction to this request. We are in a much worse position than we were 6 months ago. Who will want to send their children there now, in its present guise or any other whitewashed construct? The large number parents, who are moving their children from my child's primary school because of the lack of choice in this area of the town and filling up the feeder primaries for Fallibroome High School is tantamount to this fact. I have a child at Macclesfield High school and a child at a MHS Feeder primary. The uncertainty about secondary schools and the negativity about Macclesfield High has been hugely damaging to the primary school with a significant loss of pupils as well as a financial impact. The indecision has also had a negative emotional impact on many of the children.</p>

For	Against	No View	Comments
	1		<p>I am deeply concerned at the proposal to close Macclesfield High School. The closure will remove an important beacon of state education from the Town Centre scene which offers to parents a comprehensive education from 11 to 18.</p> <p>I can see that in some respects the replacement by a small 11-16 academy offers an alternative but it is not one I can see lasting in the long term or offering stability to the educational system in Macclesfield.</p> <p>A small secondary 11-16 school will inevitably be squeezed for funds to provide a broad curriculum. If the teachers are restricted to the 11-16 curriculum then good teachers are less likely to be attracted to teach in the school. If teachers conditions are changed to those like college lecturers which are much worse than teachers conditions then again this will be a disincentive for good teachers to join the school.</p> <p>Since a decision has been taken to consult on closing Macclesfield High School there must be a strong perception that the school has failed. this in spite of improving results and achieving over 50% 5 A-C grades. In many areas of the country this would be regarded as a successful school.</p> <p>Unfortunately due to a combination of social factors in Macclesfield the school is surrounded by three much more successful ones. Therefore parents do not choose Macclesfield high and the LA is asking the public about closing it.</p> <p>The current admissions system also needs changing to make it much fairer for parents. Parents should have the choice freely and openly administered to attend any Macclesfield secondary school. The current system is intensely damaging to some parents, pupils and schools. What will change with the 11-16 academy? The social mix will not change, the parental perception will not change indeed it might be hardened against the school if it is labelled 11-16. There will inevitably be a 'waiting time' by parents during which they will choose other schools. How will the academy be subsidised in the meantime while it hopes to attract more pupils?</p> <p>I am also concerned about the academy status as it takes away more power from the local authority to help the whole system forward. I much preferred the original suggestion of one of the secondary school taking over the site. With three secondary schools in Macclesfield there would be a chance of long term stability in the system. 11 years old pupils travel considerable distances to school at the present time so travelling could not be an issue. All pupils in Bollington travel from the town, many to a wide spread of other schools including private ones. It is my strong belief looking at the long term history of education in Macclesfield that three strong secondary schools is the stable answer and the LA must give that option at some stage to the people of Macclesfield. You are in danger of off loading responsibility at the same time as creating a system bound for long term instability with all the uncertainty that implies for pupils and parents</p>

For	Against	No View	Comments
1			No Comment.
		1	Concerns over access of the School, with extra traffic being a real problem. Caller states he sits in traffic leaving the site currently and would like to know what provisions are being made for this.
1			We support the running of an academy by the college management as the most logical use of the site and in the hope it will provide similarly high standards in the new academy.
		1	Trying to get clarification on a point relating to the consultation on the proposal to close Macc High School upon the establishment of an academy.
1			I am convinced that the establishment of an Academy that can build on the considerable effort that has already gone into the establishment of an educational partnership with the College is a good idea. I am however concerned about the viability of a 4 form entry school and how sustainable this small Academy would be without some transitional funding until pupil nos could grow to 5 forms of entry. I think that with an imaginative curriculum offer, good parental engagement and targeted marketing this new school could grow to a more viable, full 5 form entry school.
		1	Believed the option going forward was close THS and move all pupils to MHS site. Wanted to complain about the traffic and congestion around Park Lane and school day start/finish.
1			No Comment.
	1		No Comment.
	1		Yes close Macclesfield High school Do not open an 11-16 Academy in Macclesfield. Enough places in the schools within the Macclesfield area.

For	Against	No View	Comments
1			<p>Local school supports any moves to improve the education. Parents are making active choices for the three most successful schools in Macclesfield over the High School.</p> <p>In our view any solution which prolongs a situation with four schools in Macclesfield doesn't address the acute overall surplus places problem. However, if a "four schools" solution is inevitable Linking Macclesfield High School to another school in order to improve educational standards seemed a logical solution to the performance issues. In the long term we are concerned that failure to address a situation where schools are competing for students undermines effective collaboration between schools and this impinges negatively on the experience of all children attending schools in Macclesfield.</p> <p>In Macclesfield there has been a pattern of competition over collaboration, which has resulted in successive amalgamations, underperformances and then closures. It has to be noted that if the new academy is to succeed it will clearly need to recruit more students and in this process another school will inevitably have to suffer from falling or fluctuating rolls, with the inherent problems caused to school budgets and the subsequent loss of quality or consistency of provision and most importantly uncertainty for students and parents.</p>
1			No Comment.
	1		<p>There has been a huge investment in secondary educational facilities on the Macclesfield High School site and it is important these facilities are used effectively to provide secondary education for residents with secondary age children in the south and west of the Town. That said it is important to ensure that any facilities provided offer stability in the long term and it is difficult to see how the proposal to open a 4 form entry 11-16 academy can fulfil that need. Currently intakes are below four forms of entry and therefore there is a need to give time to any newly formed academy to repair its reputation and allow parents to regain confidence in the school. Can the college guarantee sufficient funding, for let us say a period of three years, for that to happen? Will they retain the current national conditions of service for school teachers that will ensure recruitment of well trained high calibre teachers who will be necessary to the school's success in the longer term. 4 forms of entry will provide a maximum of 120 pupils per year. Is this sufficient to provide funding for a broad and balanced 11-16 curriculum? If not and the school wishes to expand and is successful in doing so will this not bring instability to other schools in Macclesfield? Will parents see an 11-16 school as offering the best opportunities for their children to make progress?.</p>

For	Against	No View	Comments
1			Our daughter is a Pupil at Macclesfield High School and we have been very happy with the education she has been receiving there. She is doing well academically at the school and is happy, having many friends and a positive atmosphere created by students and staff. We were really saddened by the threatened closure of the school which we feel has outstanding facilities and were disappointed that such a new establishment could face the axe. It seemed that the school was suffering with its connections to Ryles Park School and Henbury High which were always the "underdog schools" in the town. As a community perhaps we can back this "flagship" school. Its connections with the college can only benefit students as they progress through the education system. The results achieved at the High School have been increasing over the last year and there is a good and strong commitment to its future from both parents, students and staff. The Academy should maintain and strengthen that relationship and enable the secondary education in Macclesfield to grow.
1			I believe this to be a much better solution compared to the original proposed in June by the two schools, Macc High and Tytherington.
1			<p>I support the proposal to retain 11 to 18 educational provision on the Macclesfield Learning Zone campus with the establishment of an academy. It is extremely important that the academy is seen to be offering 11-18 education since it will be in competition with other 11-18 secondary schools in the town and will be seen as "the poor relation" by parents and others if not.</p> <p>The original concept of the Macclesfield Learning Zone as an inter-related group of partner educational establishments on one site will be retained which is important.</p> <p>The transition for students from MHS to the Academy will be seamless.</p> <p>Many of the current staff at both MHS, LZ6 and the College already know each other and the proposal is, therefore, likely to receive considerable support from them.</p>

For	Against	No View	Comments
	1		<p>The first thing the council needs to do is recognise that they have made a complete mess of the whole issue starting with wasting £16 million on the school in the first place.</p> <p>Changing the name of the school and down sizing it to suit the numbers the school can attract does not fundamentally, improve the school all the failing staff will be transferred to the school.</p> <p>It is time that the council recognised the school is not fit for purpose, it does not matter what you call the school my 10 year old will not go to that school I would rather home educate than send him there.</p> <p>A far better option would be to make Tytherington a all boys school and and Macclesfield High an all girls school.</p> <p>This would have the benefit of taking the distractions away from the boys and improving there results and more than likely lower the teenage birth rate at the same time.</p>
1			I support the closure as long as the education of current pupils is not effected going forward. And the new Academy provides the best longterm strategy.
1			<p>In principle we agree with the proposal as stated, however we have some concerns and questions</p> <p>Will there be a negative impact on the pupils with a reduction in the level of staff? Will pastoral care provision be affected? Will the breadth of the curriculum be adversely affected by the reduction in staffing? How will the academy recruit and retain the quality staff that will be required long term?</p> <p>What is the plan to sustain pupil admission numbers at 120, given the current predictions?We are aware that at present Macclesfield High School is exempt from admitting "more challenging children" from neighbouring schools. How long will this procedure last and what is the policy for the academy? Historically the admission of a high proportion of the "more challenging children" has created a negative perception amongst prospective parents and the wider community. This has had a negative effect on numbers and standards.The recent exam and other successes of Macclesfield High School need to be better publicised.</p>
1			It is essential that high standards of provision are provided across Macclesfield and for this reason I support this proposal. However, I would also want to stress the need for appropriate staff development and secure TUPE arrangements for relevant staff.
1			<p>I for one would be in favour of the High School becoming an Academy. It would be better able to compete academically with the private schools in the area if it were master of it's own funds and not under the restrictive control of the local authority.</p> <p>My children attended secondary school under both the 'regular' regime and also grant maintained, for as long as that lasted.</p> <p>The grant maintained status was much more beneficial to the school.</p>
		1	No comment - I will however review your letter and appended documents further following you latest email.

For	Against	No View	Comments
	1		The disposal of the High School by changing it's statuts to an academy supported by the collage is a quick and easy way out for Cheshire East Council and doesn't resolve the deeper issues surrounding the provision of secondary education in Macclesfield (present or in years to come).
1			my children have had a great experience at Macc high and I hope the teachers and SLT will continue to be supported to continue to provide the excellent education and commitment that they do. Sadly a small number of students so let the school down however the majority of students are happy and proud of the school and are happy that the site and teachers will remain.
	1		I do support the above proposal with some qestions:- What are the plans to guard against a 'U' turn in the decision to provide 11-16 education for chidren on the Macclesfield high school site? Will the development be adequately funded? What will be done to guard against an 'upheaval' and uncertainty for the children at the site happening again ? How will the reduction of staff effect all current and future pupils? How can the choice in the ciriculum still be sustained or expanded with the loss of staff? As some staff teach both GCSE within the High School and at A level in the LZ6, ultimately some pupils will be choosing their A level subjects in favour of these teachers and their subjects. How will the loss of staff effect the choice and teaching of subjects at A level within the LZ6? How will the academy recruit and retain the quality staff that will be required long term? Will pastoral care be compromised with the reduction of staff? What is the long term plan to manage secondary School provision in Macclesfield?
1			I am pleased there will be a school on the current site as my children are both very happy and settled at MHS. I agree with the proposal on the following basis:- The children continue to be taught through to year 13 by the staff at the school who througout this restructuring need to be commended for thier professionalism and dedication to the school and pupils. The continuity to continue to LZ6 and be taught by teaching staff from the school needs to be fully advertised as many parents believe the quality staff will leave the school as it appears it will only offer up to GCSE level. There is a broad range of subjects both academic and vocational offered to allow students of all abilities to achieve their maximum potential. This is important to allow the school to attract a range of children and not just be the choice for those who wish to take the vocational route. The school is well marketed as there has been too much negative press which has had a devastating impact on numbers. There needs to be positive contact with the primary schools to encourage as many students as possible to make the school thier first choice. There is continuity with the leadership team (if possible).

For	Against	No View	Comments
		1	Although agreeing with the proposal I would like to add that I do not feel it offers a solution for the whole town. Much was made of the need to address the falling numbers and I am not sure how this proposal does. One matter which has not been addressed satisfactorily is the issue of feeder schools. There are still parents withdrawing their children from primary schools to place them into the Fallibroome feeder schools and this will continue unless all schools work on the same admissions procedure. I work in one of the affected primary schools and it is so disheartening and worrying for all the staff to see children being moved out of our school simply for this reason.
	1		I am struggling to answer this carefully worded proposal. I have no problem with Macclesfield High School becoming an academy in September 2011 but wonder why it has to close to achieve this. What really concerns me is that I have heard nothing that convinces me that the problems which led/lead to Ryles Park/Henbury/Macc High becoming the undersubscribed school in Macclesfield will be removed. Make this an academy if you think that will really solve the problem of Macc High but, please be sure that in 3 or 4 years time the school/academy on the Macc High site will not be closing, staff and students facing more upheaval and uncertainty with the college having acquired the school buildings.
1			Academy Status is the best way forward for Macclesfield High. Crucial to its success is the recruitment of a "Super Head" who should be tasked with turning this school into an "Outstanding" school within 18 months - 2 years.
1			As a teacher at MHS I am very concerned about the statement 'Most staff will remain employed at MHS'. How will you decide who will or not be employed? I am also concerned about whether we still have the same rights as we do now that are protected by the unions. I teach 6th form and I am pleased to see that this will continue. This all seems too good to be true, I am very concerned that as a member of staff there will be something that we have not been told or changes might happen that after we become an academy that will not suit us or that we don't like and then it will be too late!!
1			This seems to be a pragmatic solution and given the support of the college, probably stands the best chance of success.

For	Against	No View	Comments
1			I think this is the best option, providing there is a guarantee that the LZ6 Sixth form can accommodate the academic pupils as well as those following more vocational subjects. If this option is accepted there should also be consideration of how the other schools in Macclesfield can be controlled on their admissions policy to prevent poaching of the pupils for Year 7, to give the Academy the chance it deserves. The uncertainty of the last months has not been helpful to the current pupils especially those with examinations looming, so please reach this satisfactory conclusion as swiftly as the statutory stages allow. May I also suggest the new name should be The Macclesfield Academy.
1			<p>I am a parent of a child at Macclesfield High School. I personally feel very positive about this proposal, I have attended several of the meetings/drop in sessions since this consultation began and after discussing this proposal with representatives from the College, I feel this is the best option for the children currently at the High School.</p> <p>I do have a few concerns, the main one being the curriculum which will be offered to the children with only having an annual intake of 120. As a parent I want to be assured that this will not suffer and the children at the High School will be offered a wide curriculum, just like neighbouring schools with intake of 180+. I also feel that the pastoral care offered by the High School is very good and I wouldn't want to see this suffer. I would hope that as a result of new management, the High School will continue to make impact into improving standards and parents perception, which in turn will help to increase uptake.</p> <p>I also just want to note with regards to the 6th form provision, which I picked up from one of the drop in sessions. Under this current proposal, the 16-18 year education would transfer to the LZ6 building/college, therefore benefiting from the funding that I think from these consultations, it has been established that we need more than 3 schools in the area and long term the birth rate trend is set to reverse, I therefore feel that making MHS an Academy under the management umbrella of the College is the best option available and every effort should be made to make this an outstanding school and give the children there something to be proud of.</p>

For	Against	No View	Comments
1			<p>How will a negative impact on the current pupils be guarded against with a reduction in the staffing levels?</p> <p>How will pastoral care provision be maintained with a reduction in staffing?</p> <p>How will the breadth of the curriculum be maintained with the reduction in staffing?</p> <p>How will the planned broadening of the curriculum be achieved with fewer staff?</p> <p>Will the provision for the academic subjects be jeopardised in favour of more vocational subjects?</p> <p>How will the academy recruit and retain the quality staff that will be required long term?</p> <p>What is the plan to sustain pupil admission numbers at 120, given the current predictions?</p> <p>What is the current and the ongoing policy for the academy concerning "more challenging children"?</p> <p>What are the plans to publicise successes stories, such as the recent excellent exam results?</p> <p>How will the proposed development and expansion of the academy be adequately funded?</p> <p>What is the long term plan to manage secondary school provision in Macclesfield?</p>
1			<p>How will a negative impact on the current pupils be guarded against with a reduction in the staffing levels?</p> <p>How will pastoral care provision be maintained with a reduction in staffing?</p> <p>How will the breadth of the curriculum be maintained with the reduction in staffing?</p> <p>How will the planned broadening of the curriculum be achieved with fewer staff?</p> <p>Will the provision for the academic subjects be jeopardised in favour of more vocational subjects?</p> <p>How will the academy recruit and retain the quality staff that will be required long term?</p> <p>What is the plan to sustain pupil admission numbers at 120, given the current predictions?</p> <p>What is the current and the ongoing policy for the academy concerning "more challenging children"?</p> <p>What are the plans to publicise successes stories, such as the recent excellent exam results?</p> <p>How will the proposed development and expansion of the academy be adequately funded?</p> <p>What is the long term plan to manage secondary school provision in Macclesfield?</p>

For	Against	No View	Comments
	1		The proposal to retain four providers of secondary education in the town retain the status quo and does not address the issue of surplus places. This is likely to result in increased competition, a move away from collaborative working practices and the benefits that these can have. The proposal that Macclesfield College takes control of LZ6 and enters the A level market will increase competition in this sector which will be compounded by the proposed reductions in sixth form and FE sector funding as organisations struggle to manage decreasing resources. These issues, when set in the national context of new government policy promoting greater independence/autonomy, are likely to result in school leaders and governing bodies becoming more inward looking and focus on making decisions that preserve/strengthen their own organisations with little regard for the impact such decision might have on others in the town. There is a great danger that the benefits that the development of collaborative working arrangements across the town will be lost and there will be a return to a very competitive educational environment.
1			I would like to applaud Hilda Gaddum for listening to the concerns that were voiced about the possible closure of Macc High and am happy to see that an alternative solution has been proposed that will keep the school open. I think the school is still going to need some very positive PR to change it's image from that of a failing school and needs the appointment of a strong head to to maintain high levels of discipline as I know this was an issue for many parents in the past.
		1	Given that no-one would want two schools on one site, the only possible answer is 'yes'. Putting that to one side, I am extremely concerned about the proposal. I believe that the decision is a political one, and does not promise a stable and sustainable future for the school or the children in it. It is hard to see how a school of 600 can be viable and offer a broad curriculum. I have asked the authority for examples of schools of this nature and they have not been able to give me any. We are told in writing that this is a good option because it addresses the issue of over-capacity in the town, but verbally, people are saying that the intention is to grow. These mixed messages are not encouraging. Even if a school of 600 is viable, where will those 600 come from? When Macclesfield High School opened in a blaze of publicity, with the best facilities in town, not enough children applied. Numbers are declining. People simply don't want to send their children there, and as long as there is capacity elsewhere, that pattern is likely to continue.
	1		The main advantage of the Academy plan is that Macc College, may make the 'Macclesfield High School' brand less toxic. I am concerned that this new plan will turn out not to be financially viable. Four forms of entry are rarely viable. I am also worried at the proposal that Macclesfield College take control of the sixth form. If the school should fail, and not get enough numbers, presumably the excellent facilities will go to the College, and not to the schoolchildren of Macclesfield, for whom it was built.

For	Against	No View	Comments
1			Strong support for the continuation of sustainable 11-18 year secondary provision on the current Macclesfield High (MH) site. We believe that this provision must be academically successful and offer a full spectrum of choice to cater for all pupil abilities. The offer must allow pupils to attain their full academic and vocational potential through fully diverse, inclusive quality secondary education. Concern expressed that the present proposal for an Academy is viable or achievable. We offer qualified support for the Academy proposal, predominantly because of the lack of a public commitment to providing an academic offer that is comparable to other Town secondary schools for the 11-18 year age range, and to doubts surrounding the availability of adequate transition funding and long term viability.
	1		As someone who has been involved in education in Macclesfield acting with varying interests. I wish to register my personal disagreement with this proposal. I do not see how this will address the issue of surplus places in the town. I am concerned about the school being perceived as a school which offers mainly vocational courses, thus deterring parents of more academically minded students and creating a skewed intake. The addition this week of the English Baccalaureate to the schools' results tables will also compound this issue It is unclear how A-Levels will be delivered. I am unsure of the differences in qualifications between school and college staff.
1			On the whole, I have received positive feedback on the proposals. I believe that the proposals represent a positive step forward for Macclesfield's families, pupils and schools and, in particular, are very important for the future of the provision of education in the south of the town. Having met with the leadership teams at both Macclesfield High School and Macclesfield College, I also know that there is a real desire to make the proposed arrangements a real success in the future. My only regret is that there were not more options available for parents to consider in the formal consultation. But I know that many options were actively considered and that there were no other options which were felt to have met the agreed criteria.

For	Against	No View	Comments
	1		<p>We believe that it is important that plans should not seek solely to address immediate issues but should have the vision to ensure that the future needs of parents and students are taken into account in prudent planning of provision.</p> <p>The proposed closure of Macclesfield High and its reopening as an Academy does not address the significant surplus places problem affecting Macclesfield. To date it would appear that a relatively small number of parents are likely to make the Academy a first preference, certainly fewer than the planned 4 form entry for the school. This would obviously have a major impact on the curriculum that could be offered. If however, as a result of the successful promotion of the proposed Academy over the coming months, the number of applications increases significantly this could have a deleterious impact on the curriculum, staffing and financial planning of the other three schools.</p> <p>We are further concerned that increasing competition amongst four schools for a declining student population could seriously undermine effective collaboration between those schools.</p>
1			Concerns whether the Proposal to establish an Academy is viable or achievable. strongly support for the continuation of Sustainable secondary provision on the MH site, with provision that offers a full spectrum of choice to cater for all pupil abilities and has a fur higher level of academic achievement..
	1		<p>Doesnt believe an academy would be sustainable in the long run</p> <p>Parents would continue to send their children to schools in the north of Macc</p> <p>Could then be stuck with an unsustainable school for the length of the academy "contract"</p> <p>Although LZ6 is good survey results show that 3 11-18 school in Macc would be better</p>
1			I don't want this school to merge because this school is good.
1			I don't care as long as my sister can be on this site
1			I support the proposal to open Macclesfield High School as an academy. The facilities and teachers are wonderful and It would be a waste if the school closed.
1			We received very positive information everyone we spoke to was very helpful. The academy proposal is very exciting.
1			No Comment.
1			The College would be an asset to the school and has the experience and dedication needed to take the school forward. I feel that the links between the School and the College are essential and therefore support the closure of MHS to facilitate this. It is important that opportunities are made available for young people.

For	Against	No View	Comments
	1		parent angry that this option was not on the original plan as she had given lots of feedback. Didn't know that the college could be a sponsoring body for an academy. felt that the press had pulled the school down. felt that parents would not send their children to Macc because of the bad press and felt that CE and washed their hands of the school.
1			Supportive of the proposed academy solution in that it will offer a wide range of academic and vocational options post-16 and help support parity of esteem between the two routes.
1			Parent, with child due to transfer this September – although she has chosen THS as first choice, would prefer MHS as nearer, but wanted reassurance that MHS issues would be resolved, then could she change her choice to MHS before July.
40	22	26	
Total		88	

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Yr	Q1	Q2	Q3	Q4	Q5
7	<p>It might make more people come to the school, also it would give the school a good reputation So that everyone will be spread out at different schools I think if we are sponsored it is a good idea because the school can get money Because I want to stay at this school Because you'll have better conditioned equipment That nothing changes There are only 90 pupils in Yr7 - there is meant to be 180 It is a good idea to have it Schools are better I do not want the school to change I want the school to be bigger Because the school is not getting enough children to join, this is giving them a bad report. If an Academy we won't need an intake of as many pupils Good for the area</p>	<p>Sounds really posh because it will be an Academy Do we need a different uniform? My brother needs a place in this school/academy when he is old enough. I don't know if he will be able to get in Does it mean we will carry on as normal? Will it change how we learn at college?</p>	<p>No change to uniform Buy our school uniform if you want us to wear it how you want us too It is not like we can really do anything but just to say my mum is very confused about all of the proposals</p>	<p>More people Because we can get more money More children with the money we could buy some more equipment for subjects No change It is a benefit that there won't have to be 180 per year Less pupils means less friends Won't affect us kids because it will stay exactly the same for us Not really changing anything but the school name</p>	<p>Will help even more schools It would help the children in the school More equipment to use Do not change to an Academy Would the school uniform change?</p>
8	<p>More money to provide things like courses Because it offers us new things like equipment because it will make more money Because it keeps the school open A school is the same as an Academy Because it would help the area School can have more freedom of choice We don't have to move school Because it will solve the money problem and will hopefully give us more opportunities Because I care about my school</p>	<p>Will we have new uniforms/teachers/lessons/timetables? Worried that school will close and I will have to go to another school Might close if we don't get the money Opening times and uniform My sister wants to come here Will you have to pass certain tests to come to the Academy? If the scheme is not approved will the pupils have a guaranteed place at another good local school?</p>	<p>Give letters to parents informing them Come and talk to us and let us ask questions Tell us what changes an Academy means</p>	<p>More people Because we can get more money Better learning environment More equipment More facilities Won't have to change school We closed to come here so we should stay here It might attract more students Higher standards More discipline Get a better reputation leading to more pupils All the academy proposal is doing is saving the school, changing the sponsors and</p>	<p>Wear no uniform Add more to the school like more key stage areas Try to make us an academy without changing our curricular If we can't get the Academy merge with Tytherington I really hope this idea goes through because I love this school & chose if for a reason. To become an Academy would only raise our already high standards What happens if the Academy idea fails? New Teachers/do we change teachers</p>

	<p>It provides a good solution for the pupils and teachers but I don't see how this scheme will benefit the local area</p> <p>Because it would help the area get more families for the school</p> <p>Get better links with the collage so we can do courses with our A levels.</p> <p>I am sure I will find more benefits later on</p> <p>It gives the school a second chance</p> <p>Because you get a place in the 6th form and it give the school a chance to stay open</p>			<p>funding. There will be no change in teaching and learning areas.</p> <p>We can do courses with lesson higher up in the school</p> <p>We will be able to still learn in a wonderful school</p>	<p>Will we be in the same classes and form?</p> <p>Is the uniform going to change?</p> <p>Will the school be any different when it turns to an Academy?</p> <p>What will the school be if it closes down?</p> <p>Will we still have sport after school?</p> <p>What is an Academy?</p>
9	<p>Because its stupid to shut the school</p> <p>Because it would be a blank space</p> <p>All other schools will be really full</p> <p>Because I live far away and choose to be taught here so we should not have to move</p> <p>Because if it shuts there would not be enough places for Macc students and also its a good idea because we don't have to move</p> <p>Because people on the western has to walk up a massive hill every day</p> <p>Because I don't know if its right for this area</p> <p>If the school closes down people would have to go out of Macc to different schools</p> <p>Because the school will close if we don't have the Academy</p> <p>Because then the school will not have to close. The school and the students get to stay in the same place instead of somewhere else</p> <p>Because opening a brand new</p>	<p>Will we be having lessons like dance etc?</p> <p>Not to close the school</p> <p>Will the Year 6 pupils that will be joining this school be entitled to the Academy?</p> <p>Because I want to stay in this school</p> <p>Losing some of my friends</p> <p>What happens to my learning?</p> <p>Will my education be effected?</p>	<p>Take us out of lesson for 5-15 minutes</p> <p>I don't know</p> <p>Don't close the school</p> <p>Leave the school as it is</p> <p>A leaflet explaining thoroughly</p> <p>Just keep informing us of what is going on</p> <p>Tell our parents what is going on in school</p>	<p>Because you should not close a school that you have spent millions on it</p> <p>So we don't have to move school</p> <p>We don't have to move school and leave our friends</p> <p>Because it will be the same</p> <p>More opportunities for us</p> <p>The school won't close</p> <p>Better/more options</p> <p>We can stay at school on this site</p> <p>Because you can do everything on the one site</p> <p>Because the school has more of a chance of staying open</p> <p>Definite place in 6th form</p>	<p>Don't close the school</p> <p>I am not sure!</p> <p>If the school closes then I will end up going out of Macc for school</p> <p>More GCSE options</p>

	<p>school and then closing it is pointless</p> <p>It means more funding and opportunities</p> <p>By the school becoming an Academy we would have more options for GCE</p> <p>Because otherwise the school would close</p> <p>Because the college would sponsor us money so the teachers could buy books etc</p>				
10	<p>Because a school may have problems in the future whereas an Academy would be more 'free'.</p> <p>Also people won't lose their jobs</p> <p>There will not be enough schools for the children in the area and the school is already equipped as a school</p> <p>The school stays open - no competition to get into other schools</p> <p>No teachers lose their jobs</p> <p>So we don't have to compromise on our education and choices</p> <p>Because it expands our education</p> <p>Creates more options for all of us</p> <p>Because the school is not big enough</p>	<p>If it doesn't open, not all of the children from this school will have a place in the others within the area</p> <p>The plan might fail then we will have no school</p> <p>I don't think it will attract extra students</p> <p>Can the school hours be changed and the holiday times and so how would the different school times affect us?</p> <p>Can the school curriculum and type of tests that we are doing be changed</p> <p>Will I be affected?</p>	<p>Stop worrying about it just do it!</p> <p>Presentations on website</p> <p>Just tell us what is happening in form time instead of Assemblies</p> <p>Powerpoint presentations to all forms</p>	<p>More money per student</p> <p>No disruption</p> <p>stay on same site</p> <p>Sounds cool</p> <p>You have more choices in education</p> <p>Better opportunities</p> <p>better chances</p> <p>We get first choice to go to 6th form</p> <p>The only change is the sponsor and the name, so we should just stay the same</p> <p>Entitled to a place in the 6th form</p>	<p>Would this create more jobs?</p> <p>Would this be a waste of money or not?</p> <p>Change the uniform to polo shirt and jumper to solve the uniform problem</p> <p>Change the time school starts so there are no lates</p> <p>Would we still only have the option to learn Spanish and French</p> <p>I think the idea of an academy won't work</p> <p>How would this effect me?</p> <p>Make the school bigger</p>
11	<p>because I think the school should just stay as it is</p> <p>I am leaving the school so it does not effect me</p> <p>Because then the school will not close</p> <p>I think that it will bring Macclesfield HS reputation up</p> <p>I think an academy would not just improve one school it could up the reputation of</p>	<p>People have to go to other schools which are less convenient than Macc High</p> <p>I do not want small classes to close, such as music</p> <p>The previous main suggestion, merging with Tytherington HS, was a better solution, especially for 6th form</p> <p>I am concerned about the subjects that will be available in the 6th form</p> <p>The subjects to choose from will it</p>	<p>Send out letters</p> <p>Work with us rather than talking at us with your decisions that we have no input in</p> <p>Have a motivating dance (girls)</p> <p>Write a 'child friendly' letter informing us all</p> <p>Tell us how the college is going to change anything</p>	<p>People stay in school</p> <p>When the school closes the students won't have to find a new school</p> <p>Increases the schools reputation</p> <p>Limits the intake of students</p> <p>Apart from smaller class sizes that allow more intimate classes and attention, as I said before changing its name will not make us better.</p>	<p>Will the 6th form be effected?</p> <p>I don't want the 6th form to be part of the college</p> <p>Will routine be changed from previous years?</p> <p>Change uniform</p> <p>Stop smoking on site</p> <p>How will becoming an Academy effect me becoming a 6th former?</p> <p>Staff shouldn't lose their jobs</p>

	<p>Macclesfield's schools Mac children will go Attract more children from surrounding areas So it attract more students from the surrounding area Because it will be a good choice if the school gets shut down and will have a better 6th form and the kids from Macc HS will have a free place at 6th form Improve the profile of the school Because it may benefit us all</p>	<p>decrease or increase? Changing its name and class size I doubt would effect behaviour and whatever else your concerned about however I think subjects may be lost that are enjoyed by students Will it work? What happens if it doesn't? Will we still have as many subject options? Why should it be part of the college? Will all options stay available? How will you pick the teachers to stay and teachers to go?</p>		<p>Our level of excellence depends on the students themselves. We have had on interaction with the college before. It may widen the opportunity to do the subjects that may not be possible if the number of students doesn't increase More subject available Better facilities Because more money would be given to the school Because it will help keep the school open The school will stay open Because if kids don't want to go to All Hallows or Fallibroome or Tytherington they can go to this Academy Wider range of courses and options for school leavers Independent status With the Academy would it result in less staff needed. The staff have worked hard to make it what it is today</p>	
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Feedback from Formal Consultation

Macclesfield High School Governing Body

Governors met on Thursday 4th November to consider the proposal that Macclesfield High School becomes an academy sponsored by Macclesfield College and MMU.

Governors looked closely at the proposal and whilst they agreed in essence with the proposal, they believe that it would be essential to the success of the proposal that the new academy is presented to the public and marketed in the correct manner.

It was felt that to present the new school as an 11 to 16 academy could give the impression that provision would be inferior to the 11 to 18 provision offered by other schools in the town.

It is essential that the academy be viewed as part of the full 11 to 18 provision and beyond that would be available as part of the Macclesfield Learning Zone. The establishment of the new academy would complete the all through provision where students would be guaranteed high quality education at Key Stage 3, Key Stage 4 and Key Stage 5, all available on the one site.

Parent governors felt that it was important that their children would continue to be taught in the sixth form by those good teachers who had previously taught their children at KS3 and KS4 as part of the Macclesfield Academy.

Governors noted that the quality of the teaching in the sixth form at Macclesfield High School had been acknowledged by OfSTED and that this has been confirmed by the very good 'A' level results seen in the summer. Governors would not want the community to be given the impression that the college would be taking over the sixth form because it had failed. This is not the case. The sixth form was not included in the areas for improvement in the OfSTED Notice to Improve.

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.

J V Bisset
Chair of Governors

K Harrison
Headteacher

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Feedback from Formal Consultation

Macclesfield High School – Acting Executive Head

Feedback submitted online by E-Form

Do you support the proposal: No

Comments:

The proposal to retain four providers of secondary education in the town retains the status quo and does not address the issue of surplus places. This is likely to result in increased competition, a move away from collaborative working practices and the benefits that these can have.

The proposal that Macclesfield College takes control of LZ6 and enters the A level market is contrary to the previous vision of the College Principal and will increase competition in this sector which will be compounded by the proposed reductions in sixth form and FE sector funding as organisations struggle to manage decreasing resources.

These issues, when set in the national context of new government policy promoting greater independence/autonomy, are likely to result in school leaders and governing bodies becoming more inward looking and focus on making decisions that preserve/strengthen their own organisations with little regard for the impact such decision might have on others in the town.

There is a great danger that the benefits that the development of collaborative working arrangements across the town will be lost and there will be a return to a very competitive educational environment that school leaders and LA officers were charged with finding a solution to under the inclusion agenda umbrella at the turn of the century.

The view expressed by Mr Robinson is supported by the majority of Tytherington High School governors.

Andy Robinson
Acting Executive Head
Macclesfield High School

Head
Tytherington High School

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Feedback from Formal Consultation

MP for Macclesfield

I am writing to thank you for fully engaging me in the consultation process associated with the Formal Public Consultation regarding plans for the future of Macclesfield High School.

On the whole, I have received positive feedback on the proposals as I have spoken to local residents. I believe that the proposals represent a positive step forward for Macclesfield's families, pupils and schools and, in particular, are very important for the future of the provision of education in the south of the town. Having met with the leadership teams at both Macclesfield High School and Macclesfield College, I also know that there is a real desire to make the proposed arrangements a real success in the future.

My only regret is that there were not more options available for parents to consider in the formal consultation. But I know that many options were actively considered and that there were no other options which were felt to have met the agreed criteria.

I look forward to working with the new leadership team and all the relevant stakeholders, including Cheshire East Council, to deliver a successful and sustainable future for the school in the future.

Thanks once again for involving me so closely in the consultation process.

David Rutley MP
Member of Parliament for Macclesfield

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Feedback from Formal Consultation

Catholic Diocese of Shrewsbury

In the interests of the common good, the Diocese of Shrewsbury would wish to support moves that will improve the education, and therefore life chances, of all young people in Macclesfield and surrounding areas. We believe that it is important that plans should not seek solely to address immediate issues but should have the vision to ensure that the future needs of parents and students are taken into account in prudent planning of provision.

As a result of the distinctive nature of diocesan Catholic schools as faith schools parents often make an active choice for our schools based on our faith, culture and values. The Diocese of Shrewsbury actively supports parental choice and diversity of provision knowing that parental engagement is a key factor in good educational outcomes.

The Diocese acknowledges that some parents seek a non-faith based education for their children. Many pupils in this area of the Authority are already travelling significant distances to attend their preferred schools. It would appear from the information available that many parents are making active choices for the three most successful schools in Macclesfield.

It is a matter of some concern that the proposed closure of Macclesfield High and its reopening as an Academy does not address the significant surplus places problem affecting Macclesfield. To date it would appear that a relatively small number of parents are likely to make the Academy a first preference, certainly fewer than the planned 4 form entry for the school. This would obviously have a major impact on the curriculum that could be offered. If however, as a result of the successful promotion of the proposed Academy over the coming months, the number of applications increases significantly this could have a deleterious impact on the curriculum, staffing and financial planning of the other three schools.

We are further concerned that increasing competition amongst four schools for a declining student population could seriously undermine effective collaboration between those schools. It would be to the detriment of all concerned if collaboration through the sharing of resources, good practice and areas of specialism in both the primary and secondary sectors were to be inhibited by competition for students amongst schools.

The Diocese of Shrewsbury recognises that a very difficult decision has to be made and it is hoped that a way forward can be found which allows for the best and most effective use of resources in order to provide stable and sustainable high quality educational provision in Macclesfield for the long term. It is our belief that the cornerstone of such provision is the three existing successful schools working together in collaboration for the benefit of all students.

Alex Scott
Director of Schools

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Feedback from Formal Consultation

The Governors – All Hallows Catholic College

In the best interests of the common good, All Hallows' governors support any moves to improve the education, and therefore life chances, of all young people in Macclesfield and surrounding areas.

As a faith school All Hallows serves a wide geographical area and is linked to a family of voluntary aided Church schools. The distinctive nature of All Hallows as a faith school means that it is important for parents to make an active choice for our school based on our faith culture and values. We therefore actively support parental choice and diversity of provision knowing that parental engagement is a key determinant in good educational outcomes. We recognise that some parents wish to be able to access a non-faith based education for their children on this side of Macclesfield, but it must be noted that many children are already travelling in every direction to attend their chosen schools. Parents are making active choices for the three most successful schools in Macclesfield over the High School.

In our view any solution which prolongs a situation with four schools in Macclesfield doesn't address the acute overall surplus places problem. However, if a "four schools" solution is inevitable we are disappointed that the former proposal (new school with Tytherington) has been dismissed in favour of rebranding Macclesfield High School. Linking Macclesfield High School to another school in order to improve educational standards seemed a logical solution to the performance issues.

In the long term we are concerned that failure to address a situation where schools are competing for students undermines effective collaboration between schools and this impinges negatively on the experience of all children attending schools in Macclesfield. As a specialist college for business, ethical enterprise and languages we wish to work with other local schools to share good practice, and would like them to work with us to the mutual benefit of all of the young people in our schools. Presently, however, any curriculum event opened to students beyond a group of schools attached to any high school (the traditional learning communities) is regarded with suspicion and as a move to recruit students. This is certainly hindering the outreach work of All Hallows with respect to both Business and Enterprise and the Primary Languages Strategy.

In Macclesfield there has been a pattern of competition over collaboration, which has resulted in successive amalgamations, underperformances and then closures. It has to be noted that if the new academy is to succeed it will clearly need to recruit more students and in this process another school will inevitably have to suffer from falling or fluctuating rolls, with the inherent problems caused to school budgets and the subsequent loss of quality or consistency of provision and most importantly uncertainty for students and parents.

Feedback from Formal Consultation

We would welcome a development which seeks to address the whole situation in Macclesfield in a more creative and constructive manner than simply keeping open a building. There is presently a small window of opportunity to ensure that all children in the Macclesfield area have the best possible opportunities afforded by attending one of three successful schools working collaboratively to achieve excellent outcomes for all students.



MACCLESFIELD ACADEMY

IN CHESHIRE EAST

EXPRESSION OF INTEREST FOR AN ACADEMY SPONSORED BY MACCLESFIELD COLLEGE

Section 1: The Predecessor School:

1.1 Background:

School Name:			Macclesfield High School				
School Address:			Park Lane, Macclesfield, SK11 8JR				
Type of Establishment: e.g. Foundation School			Foundation				
Co-Educational	Y	Single Sex Boys		Single Sex Girls		Age range:	11-18
Current specialism(s) if applicable:			Technology and Arts				
Is this a designated Faith School?			Yes		No	✓	
If Yes – is this with or without faith admissions?			Which faith?				
Pupils on roll (3-11)		Pupils on roll (11-16)	640	Pupils on roll (16-19)	105	School capacity	1012

1.2 Educational attainment:

National Average data refers to all maintained schools in England	GCSE 5+ A*-C				GCSE 5+ A*-C inc. English and maths			
	2007	2008	2009	2010	2007	2008	2009	2010
National Average	60.9	64.8	69.8	75	46.0	47.3	50.7	54
LA Average	65.0	68.5	73.0	79.7	54.0	56.0	57.0	63.0
School	47.0	54.0	46.0	54.9	35.0	43.0	31.0	41.0

1.3 Key data

Exclusions in 2009/10		Exclusions to date 2010/11		2009/10 Attendance %	2010/11 to date Attendance %
Fixed term	Permanent	Fixed term	Permanent	90.7	94.2
Students 76 Days lost 226	2	Students 35 Days lost 176	2	Persistent absence %	Persistent absence %
				10.9	7.1
2009/10 Admissions					2010/11 Admissions
Year group	NOR	Admission no		Year group	NOR
Y7	137	180		Y7	92
Y8	161	180		Y8	137
Y9	128	180		Y9	161
Y10	122	180		Y10	128
Y11	145	180		Y11	122
Y12	51	N/A ¹		Y12	62
Y13	41	N/A		Y13	43
TOTAL	785	900		TOTAL	745

¹ There are no formal admission numbers for sixth forms within Cheshire East schools

Context 2010			
	% FSM	% EAL	% Statemented
National	15.4	11.8	2.0
LA	10.2	2.7	2.5
School	20.9	2.4	4.6

1.4 Key challenges

Summary of the key challenges posed by the predecessor school that the sponsor will need to address in the first year of opening (to be provided by DfE)

- 1 Improve the quality of senior and middle leadership.
- 2 Improve the culture and ethos within the school so that aspirations rise for both staff and students.
- 3 Raise standards across all subjects including the core areas so that attainment rises and progress is more rapid for all students.
- 4 Improve the quality of teaching so that it becomes more engaging and students become more actively involved leading to a thirst for and an interest in learning; thereby improving behaviour for learning.
- 5 Improve student attendance and reduce persistent absence.
- 6 Ensure that there is a greater consistency and expectation across all members of the school community so that all areas of the learning environment are well maintained and uniform is smart and worn with pride.
- 7 Rationalise staffing so that overall costs are reduced.

1.5 Finance

Does the predecessor school currently have a budget deficit?	Yes	
	No	✓
If yes, please provide details: However, the school anticipates a deficit budget situation by 31.8.2011.		

Will there be a deficit at point of closure?	Yes	✓
	No	
If yes, please provide details: The LA finance team has reviewed the school budgets and whilst there is currently a surplus budget there is a projected deficit at 31.8.2011 which is estimated to be £128k. The school and the Local Authority are working to reduce the budget deficit.		
The LA should note that any deficit budget remaining at the point of school closure would not transfer to the academy.		

Section 2: The Proposed Academy

2.1 Academy Population

Please provide details on the proposed number of pupils (both as a total figure, and broken down into the following age ranges: 3-11, 11-16 and 16-19), whether the Academy will be single sex (and if so, whether for girls or boys) or co-educational, and whether it would have a faith designation. Please provide a detailed justification for the size and age range of the proposed academy:

The Academy will be a co-educational, four forms of entry, 11-16 school with a planned admission number of 120 and a total population of 600. There will be no faith designation. At present there are four mainstream 11-18 high schools in the town of Macclesfield, including Macclesfield High School. Demographic changes mean that there are currently surplus secondary places in the town which, as a result of parental choice, are concentrated at Macclesfield High School. Pupil forecasting shows the number of surplus places growing through to 2017. However there is still a clear need for secondary provision on the south side of the town where Macclesfield High School is located. The size of the Academy has been based upon the Local Authority's projections for the number of secondary places required in the location through to 2017 and current patterns of parental choice. Nevertheless the purpose of the Academy is to raise standards and ensure it becomes a popular choice for parents. Thus although initially the Academy is targeted to have 40 fewer places than the predecessor school, there is scope for growth in response to parental demand and an expectation that the Academy will expand in response.

The Academy will be located within an educational campus (the Macclesfield Learning Zone) opened in September 2007 and shared with Macclesfield College (sponsor) and Park Lane Special School. The new campus includes specialist sixth form provision through the Learning Zone Sixth Form College (LZ6) which provides a full range of academic and applied learning courses for 16-19 year olds from Foundation Learning to Advanced level study. At present LZ6 provides the joint sixth form for Macclesfield College, Macclesfield High School and Park Lane Special School. This is a semi-formal arrangement underpinned by legal agreements but LZ6 is not a formal legal entity and the students are funded via Macclesfield High School if they are following an A level course or through Macclesfield College for applied learning courses. Nevertheless LZ6 is marketed separately and so Year 11 students from across East Cheshire and the surrounding areas of south Manchester and Derbyshire apply to study there post-16. This includes Year 11 students at Macclesfield High School.

When the 11-16 Academy opens on 1 September 2011 the Year 13 A level students will transfer to Macclesfield College's roll and all new A level students will similarly be placed on the College roll. This transfer has already been discussed with the Young People's Learning Agency who are making the necessary contractual arrangements for the transfer. Since students and their parents already regard themselves as students of LZ6 and are unaware of the separate funding streams that underpin the current arrangements, they will be unaffected by these legal changes. A levels will continue to be taught by Academy teachers, whose A level teaching hours will be purchased by the College.

The Macclesfield Learning Zone offers an unrivalled choice of opportunities for sixth form study. In addition to LZ6, ECAT (the European Centre for Aerospace Training) provides technical and occupational Engineering training for sixth formers and the main FE College offers occupational training in Professional Cookery, Hospitality, Hairdressing and Beauty Therapy for 16-19 year olds, plus specialised provision in Art and Design. On the Learning Zone campus Macclesfield College also offers Apprenticeships, and Foundation and Honours Degrees validated by Manchester Metropolitan University. Thus the Learning Zone provides young people with clear progression routes from age 11 to GCSEs in the Academy, through to A levels, vocational qualifications or an Apprenticeship, and on to Higher Education.

Proposed opening date for the Academy:

1 September 2011

2.2 Consultation

Please confirm the method of consultation and school closure to be carried out during the feasibility stage.

Local authority to carry out statutory school closure consultation and sponsor to consult on Academy proposals	✓
Governing body of predecessor school to apply for Academy Order and carry out consultation on Academy proposals	
Please confirm that all parties (sponsors, local authority, and, if appropriate, governing body) have agreed to this.	
	✓

2.3 School Improvement Statement

Please provide a description for the proposed academy. **This should be no more than one page long** and should include reference to how the proposed academy would contribute to improving standards, especially teaching and learning. You should outline how you will address the priority issues for improvement set out in section 1.5.

The vision for the Academy is to become an outstanding school in which every student is happy and strives to achieve his/her full potential.

Improve the quality of senior and middle leadership

The first priority is to appoint a very high quality, inspirational Headteacher to lead the Academy. The post will be advertised at an attractive salary at the beginning of February 2011 to enable the Head to take up post early in summer term 2011 – with release negotiated as necessary. A new Academy staffing structure is currently being determined to ensure an effective senior leadership team is established as early as possible. A broad, flat structure is favoured to add strength to the new team. Arrangements will then be made to fill the middle leadership posts. In the first instance all of the posts below Headteacher are subject to TUPE transfer but any vacancies will be filled by national advertisement before 31 May 2011 to enable a September start.

Improve the culture and ethos within the school so that aspirations rise for staff and students

A prime responsibility of the Head will be to establish a new culture and ethos for the Academy with a focus on high expectations of staff and students to raise aspirations, promote achievement and enhance self-esteem. The Academy will welcome every student personally each morning and strive to support individual needs. A Statement of Vision, Values and Ethos has already been developed and sets out the following values:

- promoting and achieving excellence
- learning is our first priority: students' interests always come first
- actively promoting equality and diversity
- maintaining high standards of ethics and behaviour
- encouraging innovation and development in staff and students
- acknowledging and using the power of positive thought
- working in partnership: promoting effective teamwork and collaborating with partner primary schools.

Parents will sign a Home-School Agreement, which reflects the values and ethos, and sets out clearly what is expected of students. Vertical tutoring will be adopted and mentoring by sixth form students introduced.

Raise standards across all subjects so that attainment rises and students make more rapid progress

The curriculum will be revised to create a better match with the needs of learners and to reflect national educational priorities. From Year 7 the Academy will focus upon developing literacy, numeracy and personal learning and thinking skills which underpin all learning. Where reading ages are low on entry the RML scheme will be used to ensure rapid progress. To raise standards, a modern language will be made compulsory throughout the school. Every student will have an individual learning plan with clear short term and long term targets which will be shared with parents. Regular individual progress reviews will be used to ensure students are on track to achieve their targets. This will enable early intervention where necessary. Setting will be adopted as the norm.

Data analysis shows there is serious scope for improvement in all subjects. To ensure good results are achieved by the end of the first year, challenging targets will be set to raise performance at KS4 and improve progress at KS3. In particular:

- raising percentage of students gaining 5 GCSEs at A* to C, including English and Maths
- raising performance in English, Maths and Science, including the percentage of students making three levels of progress in English and Maths
- improving CVA.

Improve the quality of teaching and learning to improve engagement, interest and behaviour for learning

A programme of professional development prior to the opening of the Academy will expose staff to outstanding practice and develop a shared understanding of what is required. The programme will continue during the first year to ensure consistent high

quality lessons designed to engage, stretch and challenge students, raise achievement and improve behaviour. Trained subject learning coaches and Advanced Skills Teachers will provide peer support. A rigorous quality assurance framework will be implemented including:

- regular classroom observations by trained observers with detailed individual feedback and targeted professional development for teachers to bring about rapid improvement
- provision of an on-line good practice marketplace for teaching and learning
- rigorous performance management of Department Heads and teachers with challenging goals and targets.

Improve student attendance and reduce persistent absence

Attendance will be improved through an absence monitoring strategy whereby a small team of support staff immediately follow up registered absences by text or phone to students' homes. Strategies introduced in the predecessor school to address behavioural problems in lower teaching sets and to tackle persistent absence in a small minority of students will be evaluated and taken forward or re-vamped as appropriate in advance of opening. The steps set out above to improve teaching and learning and to raise standards will encourage attendance. In addition an After School Club will be introduced to help all students develop life skills and to raise aspirations. This will provide a choice of workshops designed to make learning fun, while highlighting the relevance of core subjects and developing skills that might not be given full attention during school hours. For disengaged students the Club will form part of the strategy for re-engagement and will encourage them to stay in a safe environment after lessons. The Library will be open for extended hours. A holiday club will continue this work outside of school terms.

Ensure greater consistency and expectation across the school community to improve learning environment

The steps taken by the leadership team to embed the new culture and ethos will achieve higher professional standards and ensure a clear and consistent approach. Following consultation, decisions will be taken on the Academy's uniform and dress code, and then regularly reinforced by all staff. Classrooms will be de-cluttered and requirements for the learning environment agreed and implemented. This approach will promote pride in the school and help raise student self-esteem.

Rationalise staffing so that overall costs are reduced

As sponsor, Macclesfield College will ensure a lean and efficient staffing structure is established, in which all staff are fully deployed and contracts fully utilised. The College has significant successful experience of running an effective and efficient educational business.

As part of the education brief, a suite of policies will be developed to drive all aspects of the Academy and the first year improvement plan will address each of these issues in greater detail.

Section 3: Academy Site and Buildings

The Academy would be located at the following address: Site currently known as Macclesfield High School, Park Lane, Macclesfield, SK11 8JR					
The approximate size of the site to be transferred to the Academy Trust is 9.65 Hectares Main building 8276 m ² and Sports Hall 2108m ²					
Does the proposed academy have access to playing fields of a sufficient size to deliver its proposed vision and curriculum?				Yes	✓
				No	
				N/A	
If not, please explain how the PE curriculum would be delivered:					
Please attach a copy of the Ordnance Survey map with the boundaries of the academy site clearly marked				Attached	✓
Please confirm who owns the site of the proposed academy?					
LA	✓	Diocese		CTC Trust	
Other (please provide details) Currently Macclesfield College sub-lets the College's area of the Macclesfield Learning Zone Sports Centre from Macclesfield High School. The College in turn sub-lets the gym (part of the College's area of the Sports Centre) to a private provider. The College will wish to continue these arrangements by sub-letting its area of the Sports Centre from the Academy Trust.					

Note: If the site is currently a school site, it would be transferred at nil cost (or leased at nominal rent) to the Academy Trust prior to the academy opening, with terms agreed prior to Funding Agreement

If the site is owned by the LA does it intend to seek permission to dispose of any part of it?	Yes	
	No	✓
	N/A	
If yes, please provide details and confirm that you would abide by PfS guidelines regarding contributions to the capital cost of the academy project.		

Section 4: Agreements

4.1 Sponsor Agreement

Name of Lead Sponsor: Macclesfield College Corporation		
Name of co-sponsor/s: N/A		
<p>Macclesfield College Corporation will be the sole sponsor of the Academy. However Manchester Metropolitan University (MMU), Siemens plc and AstraZeneca have agreed to act as partners in the Academy – serving on the trustee board and bringing their expertise to the development. In particular MMU's Institute of Education will work with Macclesfield College and the Academy Headteacher to design a curriculum and establish practices to raise standards. Siemens and AstraZeneca (both major local employers) will provide curriculum enhancement through STEM Ambassadors leading industry related activities and student competitions, speaking about their roles and careers, acting as business mentors and hosting visits to the workplace. The aim will be to enrich knowledge of the world of work and to develop important core skills.</p> <p>Governance arrangements i.e. composition of the trustee board and the governing body:</p> <p>The trustee board will comprise senior managers from Siemens plc, AstraZeneca and Manchester Metropolitan University, the Principal of Macclesfield College and members of the Macclesfield College Corporation (Governing Body), one of whom will be chair of the Academy Governing Body.</p> <p>The Academy Governing Body will have twelve members, including two parent Governors, a Local Authority Governor, seven members of Macclesfield College Corporation, the Principal of Macclesfield College and the Academy Head Teacher.</p>		
Sponsors are no longer required to make a financial contribution to the endowment fund, or to sign a Deed of Gift. The Department would nonetheless expect the Academy Trust to establish the means of receiving and use reasonable endeavours to raise donations. Please confirm that you agree to do this:		
I/we agree	The Academy Trust has not yet been established but Macclesfield College commits the Academy Trust to this when it is established	

4.2 Local Authority Agreement

Does the LA agree to all aspects of this proposal?	Yes	✓
	No	
Does the LA confirm that it would bring forward proposals for the closure of any predecessor schools if that is the chosen method of closure (see section 2.2)	Yes	✓
	No	

Does the LA confirm that where staff at existing schools transfer to an academy, the LA agrees to indemnify the academy in respect of all employment costs relating to the period prior to the transfer, which will include without limitation, the costs arising out of any equal pay claims relating to that period.	Yes	✓
	No	
If not, please provide details:		

<p>"Please confirm that the LA would contribute towards the costs associated with TUPE as follows:</p>				
	Yes	In part	No	
<p>If not, please provide details:</p> <p>Having sought legal advice from our Legal team the LA is happy to contribute on the following basis:</p> <p>1. to meet all reasonable costs – including any severance, redundancy or associated pension costs associated with any restructuring resulting from or arising out of:</p> <ul style="list-style-type: none"> • an academy inheriting staff from more than one school • academy operating on fewer sites than predecessor school(s); • academy offering fewer places than at the predecessor school(s); • the predecessor school(s) being overstaffed; or • the predecessor school(s) running at a deficit. <p>2. to meet 50% of any other severance and associated costs reasonably incurred by an academy not covered by the criteria above.</p> <p>3. In the event of disagreement in respect of the reasonableness of the costs being incurred in 1 and 2 then the matter will be referred to an appropriate arbitration route as agreed by the parties. Any reasonable costs relating to this appropriate arbitration route will be split 50:50 between the LA and the Academy</p>				

4. The indemnities referred to in paragraphs 1 and 2 above are limited to costs incurred by the Academy before the expiry of eight calendar months after the date that the Academy opens.

4.3 Governing Body Agreement

Is the Governing Body of any predecessor school(s) content with this proposal?	Yes	✓
	No	
	N/A	
Where applicable please provide details: Macclesfield High School Governors agreed to support the proposal to form a new academy sponsored by Macclesfield College at their meeting of the Full Governing Body on 4 November 2010.		
If appropriate, does the Governing Body confirm that it would apply for an Academy Order and lead the consultation on the Academy proposals (see section 3)?	Yes	
	No	

4.4 Diocese Agreement

Where the relevant predecessor school is a VA school, please confirm that the Diocese/Archdiocese has agreed to this proposal and has formal Board of Education / Diocesan Schools Commission agreement.	Yes	
	No	
	N/A	✓
Where applicable please provide details:		

4.5 Miscellaneous

<p>The Department has established a Framework for the Project Management of academy projects following an open competition. This arrangement has been made to ensure compliance with the government procurement regulations and avoid lengthy competition processes. The ten project management companies appointed to our Framework have been selected on the basis of their experience, expertise and commitment to deliver a quality service. Please confirm that all parties are content for a Project Management company to be selected from the DFE framework.</p> <p><i>*Please note that alternative arrangements may be agreed for multiple sponsors through discussion with the Project Lead.</i></p>	
Agreed	✓

4.6 Signatory details


(Additional signature details may be inserted as necessary)

We fully support all aspects of this Expression of Interest and agree to use it as a basis for the future development of this academy project.

Signature	
-----------	---

(For and on behalf of the lead sponsor)	
Name in full	Wendy Wright OBE
Position:	Principal
Date:	26 January 2011

Signature	N/A
(For and on behalf of the co-sponsor)	
Name in full	
Position:	
Date:	

Signature	
(For and on behalf of the local authority)	
Name in full	Lorraine Butcher
Position:	Director of Children and Families
Date:	26 th January 2011

department for
children, schools and families

Closing a Maintained Mainstream School

A Guide for Local Authorities and Governing Bodies

For further information:

School Organisation & Competitions Unit
DCSF
Mowden Hall
Darlington
DL3 9BG

Tel: 01325 735749

Email: school.organisation@education.gsi.gov.uk

Website: www.dcsf.gov.uk/schoolorg/guidance.cfm?id=3

Last updated 1 February 2010

CLOSING A MAINTAINED MAINSTREAM SCHOOL - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

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CLOSING A MAINTAINED MAINSTREAM SCHOOL - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

Introduction (Paragraphs 1-33)

1. This guide provides information on the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendments) (England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance (Amendment)(England) Regulations 2009 which came into force on 1 September 2009). For your convenience, a consolidated version of the Establishment and Discontinuance Regulations and the two sets of Amending Regulations can be found at: www.dcsf.gov.uk/schoolorg/guidance.cfm?id=29. The relevant provisions of EIA 2006 came into effect on 25 May 2007.

2. This guide contains both statutory guidance (i.e. guidance to which local authorities (LAs) and governing bodies have a statutory duty to have regard) and non-statutory guidance, on the process for closing a maintained mainstream school. Supplementary guidance is available for special schools under the relevant guidance section on the School Organisation website at www.dcsf.gov.uk/schoolorg.

NOTE: For more detailed information on when proposals are required, see paragraphs 11 to 23 below.

The statutory guidance sections are indicated by shading, the word **must** in bold refers to a requirement in legislation, whilst the word **should** in bold is a recommendation.

3. If you have any comments on the content or layout of this guide please send these to the School Organisation & Competitions Unit (using the School Organisation website's "Contact Us" facility [www.dcsf.gov.uk/schoolorg/contact.cfm] or by email to: school.organisation@education.gsi.gov.uk) making sure that you identify the title of the guide and quote the page and paragraph numbers where relevant.

Who is this Guide for? (Paragraphs 4-5)

4. This guide is for those considering publishing proposals to close maintained mainstream schools under Section 15 of EIA 2006, referred to as "proposers" (i.e. the LA or the governing body), those deciding proposals, referred to as the "Decision Maker" (i.e. the LA and the schools adjudicator) and also for information for those affected by school closure proposals.

5. Separate guides are available from the School Organisation website for:

- Opening a new school – "Establishing a new maintained

mainstream school” -

www.dcsf.gov.uk/schoolorg/guidance.cfm?id=2;

- Becoming a Foundation or “Trust” school (changing category to foundation; a foundation school acquiring a foundation (i.e. a Trust); a Trust school acquiring a majority of foundation governors on the governing body) - “Changing School Category to Foundation” and “Trust School Proposals” - www.dcsf.gov.uk/schoolorg/guidance.cfm?id=25;
- Expanding a maintained mainstream school by enlarging or adding a sixth form - www.dcsf.gov.uk/schoolorg/guidance.cfm?id=5; and
- Making other prescribed alterations to a maintained school (e.g. change of age range other than adding a sixth form, add SEN, transfer of site) – “Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)” - www.dcsf.gov.uk/schoolorg/guidance.cfm?id=6.

School Organisation Planning Requirements (Paragraphs 6-8)

6. LAs 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.

7. Parents can make representations about the supply of school places and LAs have a **statutory duty** to respond to these representations. Further statutory guidance on this duty is available in “Duty to Respond to Parental Representations about the Provision of Schools” which is on the School Organisation website at: www.dcsf.gov.uk/schoolorg/guidance.cfm?id=26.

8. Currently, LAs **must** publish a Children and Young People’s Plan (CYPP) as the single strategic overarching plan for all services affecting children and young people which also includes reference to strategic planning for school places. It is for LAs, in partnership with other stakeholders, to plan for the provision of places. LAs **should** also explore the scope for collaborating with neighbouring authorities when planning the provision of schools. In particular, LAs are encouraged to work together to consider how to meet the needs of parents seeking a particular type of school for their children in cases where there is insufficient demand for such a school within the area of an individual LA.

Responsibility for CYPPs is passing to The Children’s Trust Board for each area and from 1 April 2011 each will be required to have a new ‘jointly owned’ CYPP in place.

Children's Trusts are the sum total of co-operation arrangements and partnerships between organisations with a role in improving outcomes for children and young people in each area. The Trust is not in itself a separate legal entity; each partner retains its own functions and responsibilities within the partnership framework. However, the Apprenticeships, Skills, Children and Learning Act 2009 strengthens Children's Trusts by requiring all local authorities to have a Children's Trust Board in place by April 2010. It also extends the number of statutory "relevant partners" who will be represented on the Board to include schools (including Academies), colleges, Job Centre Plus and the management committees of short stay schools (formerly PRUs).

In each local authority area the Children's Trust Board will be responsible for preparing and monitoring the implementation of the CYPP. This will give ownership of the plan to the partnership – whereas at present the CYPP is the responsibility of the local authority alone.

The Secretary of State's role (Paragraphs 9-10)

9. The Secretary of State has the power to issue guidance to which the Decision Maker **must** have regard when deciding proposals. This should ensure that proposals and consultation responses and representations received from stakeholders are considered in a consistent way and that Ministers' key priorities for raising standards and transforming education are taken into account when decisions are taken. When drawing up their proposals, proposers are strongly advised to look at the factors which the Decision Maker **must** take into account when considering their proposals (see [Stage 4](#)).

10. The Secretary of State does not decide statutory proposals relating to schools, except where proposals have been published by the Learning and Skills Council (LSC)¹ under Section 113A of the Learning and Skills Act 2000 (as inserted by section 72 of the Education Act 2002), for changes to 16-19 provision in schools. For further information please see guidance "School Organisation Proposals by the Learning and Skills Council" available at: www.teachernet.gov.uk/docbank/index.cfm?id=4390.

When are closure proposals required? (Paragraph 11)

11. If a LA or governing body needs to close a maintained mainstream school for the following reasons:

- it is surplus to requirements (e.g. as a result of an area-wide reorganisation and/or there are sufficient places in neighbouring schools to accommodate displaced pupils);

¹ References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

- it is to be amalgamated/merged with another school (see paragraph 12 below);
- it is to gain, lose or change religious character (see paragraph 13 below);
- it is to be replaced by an Academy (see paragraph 14 below); or
- it is to be replaced by a new school under the National Challenge Trust programme (see paragraph 22 below)

statutory proposals will be required. The statutory process to close a school does not have to precede proposals to re-build a school on its existing site or to transfer an existing school to a new site UNLESS the intention is to statutorily cease to maintain the school and replace it with a new school established under section 7 (school competition), 10 (exemption from a school competition) or 11 (special case) of the EIA 2006.

Amalgamations/Mergers (Paragraph 12)

12. There are two ways to 'merge' or 'amalgamate' two or more existing schools:

a. The LA or GB (depending on school category) can publish proposals to close two (or more) schools and the LA or a proposer other than the LA (e.g. Diocese, faith or parent group, Trust) depending on category, can publish proposals to open a new school, either through a competition (under section 7 of EIA 2006), or after receiving exemption from the Secretary of State* (under section 10 of the EIA 2006). This results in a new school number being issued for the new school.

b. The LA and/or GB (depending on school category) can publish proposals to close one school (or more) and proposals to enlarge/change the age range/transfer site etc of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its phase has changed.

*All section 10 exemption applications are considered on their individual merits. However there is a 'presumption for approval' for infant/junior amalgamations, faith school reorganisations and new schools proposed by proposers other than the LA, because Ministers have indicated, during debates in Parliament, that they may be prepared to give consent to requests under these criteria, for publication of proposals without holding a competition. See Section B of the "Establishing a Maintained Mainstream School" guide for further information (www.dcsf.gov.uk/schoolorg/guidance.cfm?id=2).

Schools wishing to acquire, change or lose a Religious Character (Paragraph 13)

13. It is not possible for a community, voluntary or foundation school to acquire, lose or change religious character by making a prescribed alteration

to the school. To make a change from, for example, a community school to a voluntary school with a religious character, the LA would need to publish proposals to close the community school, and a faith organisation (as proposers) would need to bring forward “related” proposals to establish a new voluntary school with a religious character (either through “competition” under section 7 of the EIA 2006, or “exemption” under section 10 of the EIA 2006). Please refer to “Establishing a New Maintained Mainstream School” - (<http://www.dcsf.gov.uk/schoolorg/guidance.cfm?id=2>).

Closing school(s) to be replaced by an Academy (Paragraph 14)

14. Academies are publicly funded independent schools, which do not fall under School Organisation regulations. Where a maintained school is proposed for closure, to be replaced by an Academy, the normal statutory process applies to the school closure proposals, but not to the new Academy (see <http://www.standards.dfes.gov.uk/academies> for further information about Academies). Section 482 of the Education Act 1996 provides for the Secretary of State to enter into funding agreements for new Academies with sponsors. The school closure proposals, if approved, **should** be conditional upon the Funding Agreement being signed, which could be explained in “Explanatory Notes” in the statutory notice along the lines of:

Academies are publicly funded independent schools with sponsors from the private and voluntary sectors. The establishment of an Academy is subject to the agreement of the Secretary of State. It is proposed that the closure of X school(s) should 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 X school(s).

NOTE: The minimum amount of information about the proposed Academy **should** be included in the closure notice; the proposals are about the closure of the school(s), not the specifications of the new Academy. Because Academy proposals do not fall under School Organisation regulations, they are not considered as “related” to the school closure proposal(s) (see paragraph 2.5 below).

Schools Causing Concern (Paragraphs 15-21)

15. The categories of schools causing concern are defined in sections 59-62 of the EIA 2006. Further information on these categories and the relevant duties, powers and responsibilities can be found in the DCSF guidance on schools causing concern, available at: <http://www.standards.dcsf.gov.uk/sie/si/SCC/>.

16. The Apprenticeships, Schools, Children and Learners (ASCL) Act 2009 introduces new provisions relating to schools causing concern. These provisions come into force on 12 January 2010. The existing schools causing concern guidance will be replaced with new guidance to reflect the new provisions in the New Year.

17. All maintained schools causing concern **should** receive intensive support from their LA. The National Strategies section of the DCSF Standards website provides further information:

<http://nationalstrategies.standards.dcsf.gov.uk/>.

18. The Education Act 2005 (Section 44) changed the definition of a school in Special Measures and introduced a new category - Significant Improvement – which replaced previous Ofsted categories of Serious Weaknesses, Inadequate Sixth Form or Underachieving (a non-statutory category). Before reaching a judgement that a school requires Special Measures, Ofsted inspectors **must** now take into account a school's capacity to improve. A school that is not considered to need Special Measures but is nevertheless not performing as well as it ought to be, may be judged to require Significant Improvement. Schools requiring Significant Improvement are sometimes described as being under a Notice to Improve.

19. Schools that are made subject to Special Measures will continue to receive termly monitoring visits; those requiring Significant Improvement will be re-inspected after one year. In addition, Ofsted carry out monitoring visits to schools requiring Significant Improvement 6-8 months after the initial inspection.

20. When considering the closure of any school causing concern and the expansion of other schools in the area, the LA **should** take into account the popularity with parents of alternative schools.

21. Where a school is to be closed so that it may be amalgamated with a more successful and popular school, the Decision Maker will normally approve these proposals, subject to evidence being provided by the LA and other interests that the development will have a positive impact on standards.

Proposals published under National Challenge (Paragraph 22-23)

22. The National Challenge programme was launched in June 2008 as a major initiative to improve standards in all secondary schools. The aim is that by 2011, at least 30% of pupils in every school will gain five or more GCSEs at A*-C, including both English and mathematics. One of the structural solutions (interventions) available through the programme is the closure of a school which is below this target, and the opening of a new National Challenge Trust (NCT) school, which will have clear and specific plans for raising attainment, agreed with the Department. The new NCT school **must** be a foundation school with a foundation (i.e. a Trust school) composed of Trust partners agreed with the LA and the Department in the Statement of Intent, including a strong education partner; the foundation (Trust) **must** also appoint a majority of governors to the school's governing body.

23. The proposals for both the closure of the weak school and the opening of the new school, usually on the same site, **should** be published as "related" statutory proposals. NCT proposals for a new school can only be published without a competition for the new school if the Secretary of State has granted consent under Section 10 of EIA 2006 (see Part B of "Establishing a New

Maintained Mainstream School” - (<http://www.dcsf.gov.uk/schoolorg/guidance.cfm?id=2>). There is a strong presumption to approve proposals for a NCT school where a Statement of Intent has been agreed with the Department.

Secretary of State’s power to direct school closure (Paragraph 24)

24. Section 68 of EIA 2006 gives the Secretary of State the power to direct an LA to close a school requiring special measures. This will usually be done only where there is no prospect of the school making sufficient improvements. Prior to making the direction, the Secretary of State **must** consult with the LA, the governing body that is to be replaced, and – in the case of a voluntary or foundation school – the diocesan or other appointing authority, and the LSC (if the school has a sixth form). Such a direction will not require the publication of statutory proposals for the school’s closure but proposals may be required for the opening of a new school or for alterations as a consequence of the directed closure. If the direction to close a school has been given, the LA will be expected to meet any costs of terminating staff contracts, and make appropriate arrangements for the pupils’ continuing education, whether in a replacement school or through transition to an alternative school (see chapter 5 of Schools Causing Concern Guidance for further information – <http://www.standards.dcsf.gov.uk/sie/documents/sccamendedguidance.doc>).

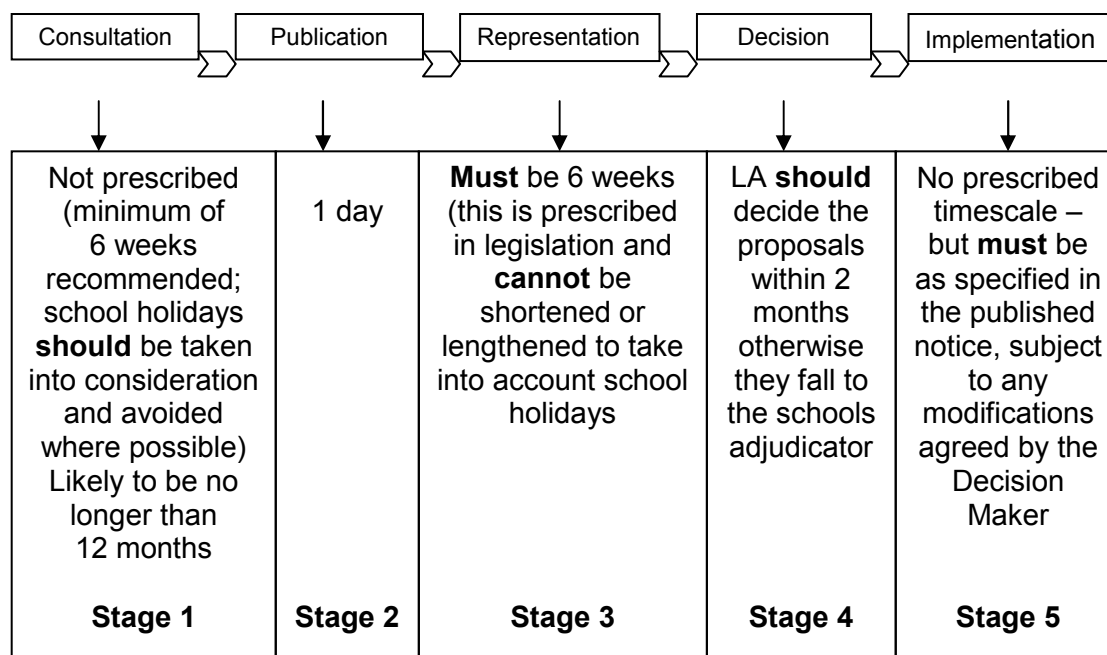
LSC Powers to publish proposals to close 16-19 schools (Paragraph 25)

25. The Learning and Skills Council (LSC)² will work with LAs to support the improvement of sixth form provision. The LSC has the power to publish proposals for the closure of an inadequate school sixth form. Where a school sixth form has been judged to require Significant Improvement in two consecutive Ofsted inspections, or where a maintained school for 16-19 year olds has been judged to require Special Measures in two consecutive Ofsted inspections, the LSC may publish proposals to close the sixth form or 16-19 school. The proposals will be decided by the LA or schools adjudicator in accordance with the same procedures as set out in [Stage 4](#) of this guide.

Overview of process (Paragraph 26)

26. There are 5 statutory stages for a statutory proposal to close a maintained mainstream school:

² References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People’s Learning Agency. This guidance will be revised by April 2010 to take account of these changes.



Two Years Notice of Closure – Voluntary and Foundation Schools (Paragraphs 27-28)

27. Alternatively (instead of following the statutory process outlined above), under section 30 of the School Standards and Framework Act 1998, the governing body of a voluntary or foundation school may (subject to specified provisions) give at least two years' notice of their intention to close the school, to the Secretary of State and the LA. The Secretary of State's prior consent is required if expenditure has been incurred on the school's premises by the Secretary of State, the Funding Agency for Schools (in the case of a school which was formerly grant-maintained) or by the school's current, or any previous, LA. Similarly, trustees of a foundation or voluntary school may give the governing body a minimum of two years notice, if they intend to terminate the school's occupation of the school's site, and as a result the school can no longer continue. A copy of the served notice **must** also be given to the Secretary of State and the LA at the time when it is given to the governing body. The minimum two years' notice allows the LA and/or governing body time to make alternative arrangements for the school and its pupils, which may include following the normal statutory process to enlarge/change the age range of other schools etc.

28. Statutory proposals are not required in the case of closure proposed under section 30; the full process is set out in section 30 of the School Standards and Framework Act 1998 and is not covered by this guidance.

Who can publish statutory proposals to close schools? (Paragraph 29)

29. An LA can publish proposals to close any category of maintained school (community, community special, foundation [including Trust], foundation special, voluntary aided, voluntary controlled and nursery schools). The governing body of a voluntary, foundation [including Trust], or foundation

special school may also publish proposals to close their own school.

Where to start? (Paragraph 30)

30. Before commencing formal consultation, the LA or governing body **should** ensure they understand the statutory process that **must** be followed, the factors that are likely to be considered by the Decision Maker and that they have a sufficiently strong case and supporting evidence for their proposals.

Rural Primary Schools (Paragraphs 31-32)

31. EIA 2006 requires that an LA or governing body, that is considering proposing the closure of a rural primary school **must** consider the following matters, when formulating their proposals:-

- the likely effect of the discontinuance of the school on the local community;
- the availability, and likely cost to the LA, of transport to other schools;
- any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and the likely effects of any such increase; and
- any alternatives to the discontinuance of the school.

Although there is a presumption against closure of a rural school, that does not mean that no rural schools will close ([see 4.42](#) below).

32. A list of primary schools that are designated as rural can be found at: www.dcsf.gov.uk/schoolorg/useful-links.cfm. Secondary schools are not designated; it is for the Decision Maker to determine whether or not a secondary school should be considered as rural; the Department's register of schools – Edubase (<http://www.edubase.gov.uk>) - includes a rural/urban indicator for each school in England based on an assessment by the Office for National Statistics. See paragraphs 4.43-4.44 for further information.

NOTE: On Edubase, any school classed as urban will have a rural/urban indicator of either 'Urban>10K – less sparse' or 'Urban>10K – sparse' – all other descriptions refer to rural schools.

Nursery Schools (Paragraph 33)

33. Nursery schools generally offer high quality provision, and have considerable potential as the basis for developing integrated services for young children and families; there is a presumption against closure of LA maintained nursery schools, but that does not mean that no nursery schools will close. The LA **should** consider the following matters (which **must** be considered by the decision maker), when formulating proposals:-

- the number of empty places consistently being funded;
- developing the school into a Sure Start Children's Centre, unless there is evidence of unsuitable accommodation, poor quality provision and low demand for places;
- alternative planned provision will be at least as equal in terms of the quantity and quality of early years provision provided by the nursery school, with no loss of expertise and specialism; and
- replacement provision is more accessible and convenient for local parents.

Stage 1 – Consultation (Paragraphs 1.1-1.8)

1.1 Under section 16 of EIA 2006, those considering bringing forward statutory proposals to close a school **must** consult interested parties, and in doing so **must** have regard to the Secretary of State's guidance. The statutory guidance for this purpose is contained in paragraphs 1.2 to 1.5. Where an LA or governing body carries out any preliminary (informal) consultation to consider a range of options, and/or principles, for a possible reorganisation, this would not be regarded as the statutory (formal) period of consultation as required by regulations. The statutory consultation would need to cover the specific closure proposal of the school in question.

1.2 The Secretary of State requires those bringing forward proposals to consult all interested parties (see paragraph 1.3 below). 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.

1.3 The Secretary of State considers that the interested parties who **should** be consulted by proposers include:

- the governing body of any school which is the subject of proposals (if the LA are publishing proposals);
- the LA that maintains the school (if the governing body is publishing the proposals);
- families of pupils, teachers and other staff at the school;
- any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils;
- the governing bodies, teachers and other staff of any other school that may be affected;
- families of any pupils at any other school who may be affected by the proposals including where appropriate families of pupils at feeder primary schools;
- any trade unions who represent staff at the school; and

representatives of any trade union of any other staff at schools who may be affected by the proposals;

- (if proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school;
- the trustees of the school (if any);
- (if the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council (LSC);
- MPs whose constituencies include the schools that are the subject of the proposals or whose constituents are likely to be affected by the proposals;
- the local district or parish council where the school that is the subject of the proposals is situated;
- any other interested party, for example, the Early Years Development and Child Care Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises; and
- such other persons as appear to the proposers to be appropriate.

1.4 Under Section 176 of the Education Act 2002 LAs and governing bodies are also under a duty to consult pupils on any proposed changes to local school organisation that may affect them. Guidance on this duty is available on the Teachernet website: www.publications.teachernet.gov.uk and is entitled “Pupil Participation Guidance: Working Together – Giving Children and Young People a Say”.

Rural Primary Schools – Consulting on Closure (Paragraph 1.5)

1.5 Section 16(1) of EIA 2006 places a statutory **duty** on those proposing the closure of a rural primary school to consult:-

- the registered parents of registered pupils at the school;
- the LA (where proposals are to be made by the school governing body);
- in a case where the LA are a county council in England, any district council for the area in which the school is situated;
- any parish council for the area in which the school is situated; and

- such other persons as appear to the relevant body to be appropriate.

Conduct of Consultation (Paragraphs 1.6-1.8)

1.6 **How** statutory consultation is carried out is not prescribed in regulations and it is for the proposers to determine the nature of the consultation including, for example, whether to hold public meetings. Although regulations do not specify the consultation's duration, the Department strongly advises that the proposers **should** allow at least 6 weeks for this. This will allow consultees an opportunity to consider what is being proposed and to send their comments. Proposers **should** avoid consulting on proposals during school holidays, where possible.

1.7 At the end of the consultation the proposer **should** consider the views expressed during that period before reaching any final decision on whether to publish statutory proposals. Where, in the course of consultation, a new option emerges which the proposer wishes to consider, it will probably be appropriate to consult afresh on this option before proceeding to publish statutory notices.

1.8 If the need for the closure arises from an area wide reorganisation e.g. as a result of long-term LA planning, any related proposals **should** be consulted on at the same time. Notices for related proposals **should** be published at the same time and specified as "related" so that they are decided together (see 2.5).

Remember:

Do	Don't
Consult all interested parties	Consult during school holidays (where possible)
Provide sufficient time and sufficient information	Use language which could be misleading, e.g. We <u>will</u> close the school – instead, use 'propose to'.
Think about the most appropriate consultation method	
Consider feedback and views	
Consider alternative options	
Explain the decision making process	

Stage 2 – Publication (Paragraphs 2.1-2.10)

2.1 LAs can publish proposals to close any category of maintained school within the LA. Governing bodies of voluntary or foundation schools can publish proposals to close their own school. Proposals **should** be published within a reasonable timeframe following consultation so that the proposals are informed by up-to-date feedback. Proposals **should** therefore be published within 12 months of consultation being concluded.

2.2 Proposals **must** contain the information specified in the Regulations. The regulations specify that part of the information (as set out in Part 7 of Schedule 5) is published in a statutory notice (see paragraph 2.3 below), but the complete proposal (as set out in Schedule 4), **must** be sent to a range of copy recipients (see paragraph 2.9-2.10 below). [Annex A](#) can be used to prepare the complete proposal; the notice builder tool (see 2.4 below) can be used to prepare the draft statutory notice.

2.3 A statutory notice containing specified information (indicated by the shaded information in [Annex A](#)) **must** be published in a local newspaper, and also posted at the main entrance to the school (or all the entrances if there is more than one) and at some other conspicuous place in the area served by the school (e.g. the local library, community centre or post office etc). The 'date of publication' is regarded as being the date on which the last of the above conditions is met. Proposers may circulate a notice more widely in order to ensure that all those substantially affected have the opportunity to comment.

2.4 To help proposers prepare their statutory notice, the School Organisation website includes an online Notice Builder tool which will help ensure that the statutory notice complies with the Regulations and offers an opportunity for the notice to be checked by the School Organisation & Competitions Unit of the DCSF. Proposers are strongly advised to use this facility. The Notice Builder can be found at www.dcsf.gov.uk/schoolorg. To gain access the proposer needs to register for the "Members' Area" on the website but this is free of charge. A template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in "Standard Forms" in the Members' Area of the website.

Related proposals (Paragraph 2.5)

2.5 Where proposals are interdependent (linked) they **should** be identified as "related", either by being published in a single notice or the link to the other proposals made clear in each notice. Where proposals by the LA are "related" to proposals by governing bodies or other proposers (e.g. where a school is to be closed and another enlarged, or a school is to be replaced by a new school) the LA and governors or proposers may publish a single notice but this **must** make it clear who is making which proposals, under their respective powers, and there **should** be separate signatures for each relevant section. Where proposals are not "related", they **should not** be published on the same notice unless the notice makes it very clear that the proposals are not

“related”. This does not include proposals that fall under other regulations e.g. removal of a Trust, opening of an Academy or federation proposals.

Implementation date (Paragraph 2.6)

2.6 There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation but circumstances may change significantly if too long a period elapses. In general, therefore - with the possible exception of BSF or major authority-wide reorganisation proposals which may have to be phased in over a long period - the implementation date for the proposals (stated in the statutory notice) **should** be within 3 years of their publication. Proposers may be expected to show good reason if they propose a longer timescale. If the proposals are approved, they **must** then be implemented by the proposed implementation date, subject to any modifications made by the Decision Maker.

Explanatory note (Paragraph 2.7)

2.7 If the full effect of the proposals is not apparent to the general public from the statutory notice, it may be supplemented by an explanatory note or background statement, but this **should** be clearly distinguishable from the formal proposals as it does not form a statutory part of the notice. Ideally, whilst complying with regulations, the statutory notice **should** be as concise as possible, so that it is easily understood (this will also help keep publication costs to a minimum), with more detailed information contained in the complete proposal (see [paragraph 14](#) for suggested explanatory notes if a closing school is to be replaced by an Academy).

Invalid notice (Paragraph 2.8)

2.8 Where a published notice has not been properly formulated in accordance with the regulations, the notice may be judged invalid and therefore ineligible to be determined by the LA or schools adjudicator. In these circumstances the proposer **should** publish a revised notice making it clear that this replaces the first notice and that the statutory period for representations will run from the publication date of the revised notice (and whether or not any representations already received will still be considered by the Decision Maker). If the issue is very minor, e.g. a typo, a published addendum may suffice, in which case, the representation period would not need to change.

Who should be sent copies of the proposals? (Paragraphs 2.9-2.10)

2.9 If the governing body are the proposers, they **must** submit a copy of their complete proposal to the LA that maintains the school, on the **date of publication**. It would also be helpful to submit a copy of the statutory notice. (see 2.2 above).

If the LA are the proposers, they **must** submit a copy of their complete proposal to the governing body of the school proposed for closure, on the

date of publication. It would also be helpful to submit a copy of the statutory notice. (see 2.2 above).

In addition, the proposer **must, within one week of the date of publication**, send a full copy of the complete proposal, to:

- any other LA likely to be affected by the proposals;
- the Diocesan Board of Education for any diocese of the Church of England which is comprised in the area of the LA;
- the bishop of a diocese of the Roman Catholic Church which is comprised in the area of the LA;
- the Learning and Skills Council for England if the school provides 14-16 education or sixth form education;
- where the school is a voluntary or foundation - the trustees or foundation body; and
- any person who requests a copy.

2.10 The proposers **must** also send to the Secretary of State (i.e. to SOCU, DCSF, Mowden Hall, Darlington DL3 9BG or via email to school.organisation@education.gsi.gov.uk) **within a week of publication**:

- a complete copy of the proposal, excluding all documentation relating to the consultation; and
- a copy of the statutory notice that appeared in the local newspaper, showing the date of publication.

Stage 3 – Representations (Paragraphs 3.1-3.2)

3.1 Once proposals are published there follows a **statutory 6 week representation period** during which comments on the proposals can be made. These **must** be sent to the LA. Any person can submit representations, which can be objections as well as expressions of support for the proposals. The representation period is the final opportunity for people and organisations to express their views about the proposals and ensure that they will be taken into account by the Decision Maker.

3.2 The representation period is specified in legislation as **6 weeks** and **must not** be altered e.g. cannot be shortened or extended to fit in with scheduled meetings or to take into account school holidays – meetings will need to be rescheduled and every effort **should** be made to advise stakeholders during the consultation period when the notice is likely to be published.

Stage 4 – Decision (Paragraphs 4.1-4.70)**Who Will Decide the Proposals?** (Paragraphs 4.1-4.4)

4.1 Decisions on school organisation proposals are taken by the LA or by the schools adjudicator. In this chapter both are covered by the form of words “Decision Maker” which applies equally to both. Paragraphs 7-8 and 19 of Schedule 2 to EIA 2006 set out who **must** decide proposals for school closures. Decisions on closure proposals will be taken by the LA with some rights of appeal to the schools adjudicator. Only if the closure proposals are “related” to other proposals that fall to be decided by the schools adjudicator, will the LA not be the decision maker in the first instance.

4.2 The Department does not prescribe the process by which an LA carries out their decision-making function (e.g. full Cabinet or delegation to Cabinet member or officials). This is a matter for the LA to determine but the requirement to have regard to statutory guidance (see paragraph 4.15 below) applies equally to the body or individual that takes the decision.

4.3 Where proposals are published by the LA and there are no objections and the proposals are not “related” to other proposals, the proposals **must** be determined by the LA under Paragraph 19 of Schedule 2 to EIA 2006. The proposals **should** then be decided within 2 months (and if not, the proposals **must** be referred to the schools adjudicator) and there is no provision for an appeal against the LA’s decision. **A conditional approval cannot be given where proposals are decided under the paragraph.**

4.4 If there are objections to the proposals, or there are no objections but the proposals are “related” to other proposals, the proposals **must** be decided under Paragraph 8 of Schedule 2 to EIA 2006. The LA will normally be the decision maker (i.e. except where the proposals are related to proposals for the establishment of a new school and the schools adjudicator is required to decide the new school proposals – see paragraph 5.6 of Part A, and paragraph 4.6 of Part B, of “Establishing a New Maintained Mainstream School” - www.dcsf.gov.uk/schoolorg/guidance.cfm?id=2). If the LA fail to decide proposals within 2 months of the end of the representation period the LA **must** forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They **must** forward the proposals within one week from the end of the 2 month period.

Who Can Appeal Against an LA Decision? (Paragraphs 4.5-4.6)

4.5 There is no right of appeal where proposals are decided under Paragraph 19 of Schedule 2 to EIA 2006. In all other cases the following bodies may appeal against an LA decision on school closure proposals:

- the local Church of England diocese;
- the Bishop of the local Roman Catholic diocese;
- the LSC where the school provides education for pupils aged 14

and over; and

- the governors and trustees of a foundation (including Trust) or voluntary school that is subject to the closure proposals.

4.6 Any appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals, and the representations received (together with any comments made on these representations by the proposers), to the schools adjudicator within 1 week of the receipt of the appeal. The LA **should** also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

Checks on Receipt of Statutory Proposals (Paragraph 4.7)

4.7 There are 4 key issues which the Decision Maker **should** consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker **should** write immediately to the proposer specifying a date by which the information **should** be provided;
- Does the published notice comply with statutory requirements? (see paragraph 4.8 below);
- Has the statutory consultation been carried out prior to the publication of the notice? (see paragraph 4.9 below); and
- Are the proposals "related" to other published proposals? (see paragraphs 4.10 - 4.14 below).

Does the Published Notice Comply with Statutory Requirements? (Paragraph 4.8)

4.8 The Decision Maker **should** consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements - as set out in the Regulations - it may be judged invalid and the Decision Maker **should** consider whether they can decide the proposals.

Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice? (Paragraph 4.9)

4.9 Details of the consultation **must** be included in the proposals. The Decision Maker **should** be satisfied that the consultation meets statutory requirements (see [Stage 1](#) paragraphs 1.2–1.5). If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid

and needs to consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

Are the Proposals Related to Other Published Proposals? (Paragraphs 4.10-4.14)

4.10 Paragraphs 9 and 19 of Schedule 2 to the EIA 2006 provide that any proposals that are “related to” particular proposals (e.g. for a new school, or prescribed alterations to existing schools i.e. change of age range, enlargement, transfer of site) **must** be considered together. This does not include proposals that fall outside of the Regulations e.g. removal of a Trust, opening of an Academy, federation proposals. Paragraphs 4.11 – 4.14 provide statutory guidance on whether proposals **should** be regarded as “related”.

4.11 Generally, proposals **should** be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals **should** be regarded as “related” if the notice makes a reference to a link to other proposals (published under School Organisation and Trust regulations). If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals **should** be regarded as “related”. Proposals for a school competition **should** be considered together with proposals for any school closure where there is a clear link.

4.12 Where proposals are “related”, the decisions **should** be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both **should** be approved or rejected.

4.13 Where proposals for a closing school are “related” to proposals published by the local LSC³, which are to be decided by the Secretary of State, the Decision Maker **must** defer taking a decision until the Secretary of State has taken a decision on the LSC proposals. This applies where the proposals before the Decision Maker concern:

- the school that is the subject of the LSC proposals;
- any other secondary school, maintained by the same LA that maintains a school that is the subject of the LSC proposals; or
- any other secondary school in the same LA area as any FE college which is the subject of the LSC proposals.

³ References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

4.14 The proposals will be regarded as “related” if their implementation would prevent or undermine effective implementation of the LSC proposals.

Statutory Guidance – Factors to be Considered by Decision Makers (Paragraphs 4.15-4.16)

4.15 Paragraphs 8(6) and 17 of Schedule 2 to the EIA 2006 provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on closure proposals. Paragraphs 4.16 to 4.63 below contain the statutory guidance.

4.16 The following factors **should not** be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals **should** be considered on their individual merits.

EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT

A System Shaped by Parents (Paragraphs 4.17-4.18)

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper Higher Standards, Better Schools For All, is to create a schools system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and
- the best schools are able to expand and spread their ethos and success.

4.18 The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker **should** take into account the extent to which the proposals are consistent with the new duties on LAs.

Standards (Paragraphs 4.19-4.21)

4.19 The Government wishes to encourage changes to local school provision where it will boost standards and opportunities for young people, while matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers **should** be satisfied that proposals for a school closure will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They **should** pay

particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

4.21 Where a school is to be closed so that it may be amalgamated with a more successful and/or popular school, the Decision Maker **should** again normally approve these proposals, subject to evidence being provided by the LA and other interested parties, that the development will have a positive impact on standards.

Schools Causing Concern (Paragraphs 4.22-4.23)

4.22 When considering the closure of any school causing concern and, where relevant, the expansion of other schools, the Decision Maker **should** take into account the popularity with parents of alternative schools.

4.23 For all closure proposals involving schools causing concern, copies of the Ofsted monitoring letters for the relevant schools **should** be made available. The Decision Maker **should** have regard to the length of time the school has been in special measures, needing significant improvement or otherwise causing concern, the progress it has made, the prognosis for improvement, and the availability of places at other existing or proposed schools within a reasonable travelling distance. There **should** be a presumption that these proposals **should** be approved, subject only to checking that there will be sufficient accessible places of an acceptable standard available in the area to meet foreseeable demand and to accommodate the displaced pupils.

National Challenge Trust Schools (Paragraph 4.24)

4.24 Where a school is proposed to close and re-open as a brokered National Challenge Trust school, the new school will have clear and specific plans for raising attainment which have been agreed by the Department (specified in the Statement of Intent agreed by Ministers). There **should** be a presumption to approve proposals where funding has been agreed by the Department, but the Decision Maker **should** be satisfied that the places the new school will provide are needed.

Academies (Paragraphs 4.25-4.27)

4.25 Academies are publicly-funded independent schools established in partnership with business and voluntary sector sponsors. They will normally replace one or more poorly-performing schools or will meet demand for new school places in diverse communities where there is only limited access to free high quality school places. Academies may be established in rural as well as urban areas. All Academies **should** contribute to a strategic approach to diversity in their area. The involvement of business and other non-Government partners will enable Academies to develop and implement new approaches to governance, teaching and learning in order to raise standards. All Academies will be required to share their facilities and expertise with other local schools and the wider community.

4.26 Where an Academy is to replace an existing school or schools, the proposals for the closure of those schools **should** indicate whether pupils currently attending the schools will transfer to the Academy and, if appropriate, what arrangements will be made for pupils who are not expected to transfer.

4.27 If provision for pupils at a school proposed for closure is dependent on the establishment of an Academy, or the extension or enlargement of an existing Academy, any approval of the closure proposals **should** be conditional on the Secretary of State making an agreement for a new Academy, or agreeing to the extension or enlargement of an existing one (see paragraph 4.65), but there **should** be a general presumption in favour of approval.

Diversity (Paragraphs 4.28-4.30)

4.28 Decision Makers **should** be satisfied that when proposals lead to children (who attend provision recognised by the LA as being reserved for pupils with special educational needs) being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.58 to 4.62).

4.29 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.

4.30 Decision Makers **should** consider how proposals will impact on local diversity. They **should** consider the range of schools in the relevant area of the LA and how the closure of the school will ultimately impact on the aspirations of parents, help raise local standards and narrow attainment gaps.

Balance of Denominational Provision (Paragraphs 4.31-4.32)

4.31 In deciding proposals to close a school with a religious character, the Decision Maker **should** consider the effect that this will have on the balance of denominational provision in the area.

4.32 The Decision Maker **should not** normally approve the closure of a school with a religious character where the proposal would result in a reduction in the proportion of denominational places in the area. This guidance does not however apply in cases where the school concerned is severely under-subscribed, standards have been consistently low or where an infant and junior school (at least one of which has a religious character) are to be replaced by a new all-through primary school with the same religious character on the site of one or both of the predecessor schools.

Every Child Matters (Paragraph 4.33)

4.33 The Decision Maker **should** consider how proposals will help every child and young person achieve their potential in accordance with “Every Child Matters” principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This **should** include considering how displaced pupils will continue to have access to extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.

NEED FOR PLACES**Provision for Displaced Pupils** (Paragraph 4.34)

4.34 Where proposals will remove provision, the Decision Maker **should** be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall supply and likely future demand for places. The Decision Maker **should** consider the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents’ aspirations for those schools.

Surplus Places (Paragraphs 4.35-4.36)

4.35 It is important that education is provided as cost-effectively as possible. Empty places can represent a poor use of resources - resources that can often be used more effectively to support schools in raising standards. The Secretary of State wishes to encourage LAs to organise provision in order to ensure that places are located where parents want them. LAs **should** take action to remove empty places at schools that are unpopular with parents and which do little to raise standards or improve choice. The removal of surplus places **should** always support the core agenda of raising standards and respect parents' wishes by seeking to match school places with parental choices.

4.36 The Decision Maker **should** normally approve proposals to close schools in order to remove surplus places where the school proposed for closure has a quarter or more places unfilled, and at least 30 surplus places, and where standards are low compared to standards across the LA. The Decision Maker **should** consider all other proposals to close schools in order to remove surplus places carefully. Where the rationale for the closure of a school is based on the removal of surplus places, standards at the school(s) in question **should** be taken into account, as well as geographical and social factors, such as population sparsity in rural areas, and the effect on any community use of the premises.

IMPACT ON THE COMMUNITY AND TRAVEL

Impact on Community (Paragraphs 4.37-4.38)

4.37 Some schools may already be a focal point for family and community activity, providing extended services for a range of users, and its closure may have wider social ramifications. In considering proposals for the closure of such schools, the effect on families and the community **should** be considered. Where the school was providing access to extended services, some provision **should** be made for the pupils and their families to access similar services through their new schools or other means.

4.38 The information presented by those bringing forward proposals to close such schools, particularly when they are in receipt of funding as part of regeneration activity, **should** therefore include evidence that options for maintaining access to extended services in the area have been addressed. The views of other relevant agencies and partnerships with responsibility for community and family services **should** be taken into account, alongside those of the local police, Government Offices and Regional Development Agencies having responsibility for the New Deal for Communities.

Community Cohesion and Race Equality (Paragraph 4.39)

4.39 When considering proposals to close a school the Decision Maker **should** consider the impact of the proposals on community cohesion. This will need to be considered on a case by case basis, taking account of the community served by the school and the views of different sections within the community. In considering the impact of the proposals on community cohesion the Decision Maker will need to take account of the nature of the alternative provision to be made for pupils displaced by the closure and the effects of any other changes to the provision of schools in the area.

Travel and Accessibility for All (Paragraphs 4.40-4.41)

4.40 In considering proposals for the reorganisation of schools, Decision Makers **should** satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes **should not** adversely impact on disadvantaged groups.

4.41 In deciding statutory proposals, the Decision Maker **should** bear in mind that proposals **should not** have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance ref 00373 – 2007BKT-EN at www.teachernet.gov.uk/publications. Proposals **should** also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Rural Schools and Sites (Paragraphs 4.42-4.44)

4.42 In considering statutory proposals to close a rural school, the Decision Maker **should** have regard to the need to preserve access to a local school for rural communities. There is therefore a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure **should** be strong and the proposals clearly in the best interests of educational provision in the area. The presumption will not apply in cases where a rural infant and junior school on the same site are being closed to establish a new primary school. In order to assist the Decision Maker, those proposing closure **should** provide evidence to the Decision Maker to show that they have carefully considered:

- a. Alternatives to closure including the potential for federation with another local school to increase the school's viability; the scope for an extended school or children's centre to provide local community services and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc;
- b. The transport implications as mentioned in paragraphs 4.40 to 4.41; and
- c. The overall and long term impact on local people and the community of closure of the village school and of the loss of the building as a community facility.

4.43 When deciding proposals for the closure of a rural primary school, the Decision Maker **should** refer to the Designation of Rural Primary Schools (England) 2007 to confirm that the school is a rural school. The list of rural primary schools can be viewed on line at: www.dcsf.gov.uk/schoolorg/useful-links.cfm.

4.44 In the case of secondary schools, it is the responsibility of the Decision Maker to decide whether a school is to be regarded as rural for the purpose of considering proposals for closure under this guidance and in particular the presumption against closure. The Department's register of schools – Edubase (<http://www.edubase.gov.uk>) - includes a rural/urban indicator for each school in England based on an assessment by the Office for National Statistics. The Decision Maker **should** have regard to this indicator. Where a school is not recorded as rural on Edubase, the Decision Maker may nonetheless wish to consider evidence provided by interested parties that a particular school **should** be regarded as rural.

NOTE: On Edubase, any school classed as urban will have a rural/urban indicator of either 'Urban>10K – less sparse' or 'Urban>10K – sparse' – all other descriptions refer to rural schools.

SCHOOL CHARACTERISTICS**Boarding Provision** (Paragraph 4.45)

4.45 In making a decision on proposals to close a school that includes boarding provision, the Decision Maker **should** consider whether there is a state maintained boarding school within one hour's travelling distance from the school. The Decision Maker **should** consider whether there are satisfactory alternative boarding arrangements for those currently in the school and those who may need boarding places in the foreseeable future, including the children of service families.

Equal Opportunity Issues (Paragraph 4.46)

4.46 The Decision Maker **should** consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

SPECIFIC AGE PROVISION ISSUES**Early Years Provision** (Paragraphs 4.47-4.48)

4.47 In considering proposals to close a school which currently includes early years provision, the Decision Maker **should** consider whether the alternative provision will integrate pre-school education with childcare services and/or with other services for young children and their families; and **should** have particular regard to the views of the Early Years Development and Childcare Partnership.

4.48 The Decision Maker **should** also consider whether the alternative early years provision will maintain or enhance the standard of educational provision and flexibility of access for parents. Alternative provision could be with providers in the private, voluntary or independent sector.

Nursery School Closures (Paragraph 4.49)

4.49 In deciding whether to approve any proposals to close a nursery school, the Decision Maker **should** be aware that nursery schools generally offer high quality provision, and have considerable potential as the basis for developing integrated services for young children and families. There **should** be a presumption against the closure of a nursery school unless the case for closure can demonstrate that:

- a. the LA is consistently funding numbers of empty places;
- b. full consideration has been given to developing the school into a Sure Start Children's Centre, and there are clear, justifiable grounds for not doing

so, for example: unsuitable accommodation, poor quality provision and low demand for places;

c. plans to develop alternative provision clearly demonstrate that it will be at least as equal in terms of the quantity and quality of early years provision provided by the nursery school with no loss of expertise and specialism; and that

d. replacement provision is more accessible and more convenient for local parents.

14-19 Curriculum and Collaboration (Paragraph 4.50)

4.50 The Government has ambitious plans to increase post-16 participation rates and improve the skills of learners. The foundation for making progress is a transformed, coherent 14-19 phase offering a rich mix of learning opportunities from which young people can choose tailored programmes and gain qualifications appropriate to their aptitudes, needs and aspirations. This will be achieved by better collaboration between local providers, including schools, colleges, training providers and employers. Decision Makers **should** therefore consider what measures are being proposed to ensure that opportunities available to students in this age group are not reduced by the school closure, although the absence of such measures **should not** prevent the closure of a poorly-performing school.

16-19 Provision – General (Paragraphs 4.51-4.53)

4.51 The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:

- standards and quality: the provision available **should** be of a high standard – as demonstrated by high levels of achievement and good completion rates;
- progression: there **should** be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes **should** make provision for the pastoral, management and learning needs of the 14-19 age group;
- participation: there are high levels of participation in the local area; and,
- learner satisfaction: young people consider that there is provision for their varied needs, aspirations and aptitudes in a range of settings across the area.

4.52 Where standards and participation rates are variable, or where there is

little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.

4.53 Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.

LSC Proposals to Close Inadequate 16-19 Provision (Paragraph 4.54)

4.54 The Learning and Skills Act 2000 (as amended by the Education Act 2005) gives the LSC⁴ powers to propose the closure of 16-19 schools judged to require Significant Improvement in two consecutive Ofsted inspections. Where a 16-19 school is proposed for closure in such circumstances there **should** be a presumption to approve the proposals, subject to evidence being provided that the development will have a positive impact on standards.

Conflicting Sixth Form Reorganisation Proposals (Paragraph 4.55)

4.55 Where the implementation of reorganisation proposals by the LSC conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (by the School Organisation Proposals by the LSC for England Regulations 2003) from making a decision on the “related” proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION

Initial Considerations (Paragraphs 4.56-4.57)

4.56 SEN provision, in the context of School Organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change, LAs **should** aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They **should** ensure that local proposals:

- a. take account of parental preferences for particular styles of provision or education settings;
- b. offer a range of provision to respond to the needs of individual children

⁴ References throughout this document to the LSC only apply up to April 2010. The ASCL Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise) and regional and sub-regional provision; out of LA day and residential special provision;

- c. are consistent with the LA's Children and Young People's Plan;
- d. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- e. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- f. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- g. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- h. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights **must** be ensured. Other interested partners, such as the Health Authority **should** be involved.

4.57 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

The Special Educational Needs Improvement Test (Paragraph 4.58)

4.58 When considering any reorganisation of provision that would be recognised by the LA as reserved for pupils with special educational needs, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers **should** show how the key factors set out in paragraphs 4.59 to 4.62 below have been taken into account by applying the SEN improvement test. Proposals which do not credibly meet these requirements **should not** be approved and Decision Makers **should** take proper account of parental or independent representations which question the LA's own assessment in this regard.

Key Factors (Paragraphs 4.59-4.62)

4.59 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they **should**:

a. identify the details of the specific educational benefits that will flow from the proposals in terms of:

- i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
- ii. improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
- iii. improved access to suitable accommodation; and
- iv. improved supply of suitable places.

b. LAs **should** also:

- i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
- ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools **should** confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
- iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
- iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

4.60 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) **should not** be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been

excluded; in such cases the statement **must** be amended to name the PRU, but PRUs **should not** be seen as an alternative long-term provision to special schools.

4.61 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.62 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

OTHER ISSUES

Views of interested parties (Paragraph 4.63)

4.63 The Decision Maker **should** consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker **should not** simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker **should** give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

Types of Decision (Paragraph 4.64)

4.64 In considering proposals for a school closure, the Decision Maker can decide to:

- reject the proposals;
- approve the proposals;
- approve the proposals with a modification (e.g. the school closure date); or
- approve the proposals subject to them meeting a specific condition (see paragraph 4.65), unless the decision is being made under paragraph 19 of Schedule 2 of the EIA 2006 – see

4.3 above.

Conditional Approval (Paragraphs 4.65-4.66)

4.65 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the Regulations i.e. as follows:

- a. the making of any agreement under section 482(1) of the 1996 Education Act for the establishment of an Academy, where the proposals in question provide for some or all of the pupils currently at the school which is the subject of the proposals to transfer to the Academy;
- b. the agreement of the Secretary of State to the extension or enlargement of an existing Academy;
- c. the decision of the Secretary of State to establish a new FE college under section 16 of the Further and Higher Education Act 1992;
- d. the agreement to any change to admission arrangements of any other school or schools specified in the approval;
- e. where the proposals depend upon conditions being met, by a specified date, for any other school or proposed school, the occurrence of such an event.

4.66 The Decision Maker **must** set a date by which the condition **must** be met but will be able to modify the date if the proposers confirm (preferably before the date expires), that the condition will be met later than originally thought. The condition-to-be-met-by date **must** be before the proposed implementation date of the proposal (which can also be modified if necessary). Therefore care **should** be taken when setting condition-to-be-met-by dates, particularly if proposals are “related” e.g. if a school is proposed to add a sixth form on 1st September one year, and enlarge on 1st September the following year, and the enlargement requires planning permission, the condition set **must** be met before the addition of a sixth form can be implemented (the earlier proposal), because as “related” proposals, they **should** both have the same decision, which in this case, would have been approval conditional upon planning permission being met. The proposer **should** inform the Decision Maker and the Department (SOCU, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@education.gsi.gov.uk) of the date when a condition is modified or met in order for the Department’s records, and those of Edubase to be kept up to date. If a condition is not met by the date specified, the proposals **must** be referred back to the Decision Maker for fresh consideration.

Decisions (Paragraphs 4.67-4.69)

4.67 All decisions **must** give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

4.68 A copy of the decision **must** be forwarded to:

- the LA or governing body who published the proposals;
- each objector except where a petition has been received. Where a petition is received a decision letter **should** be sent to the person who submitted the petition, or where this is unknown, the signatory whose name appears first on the petition;
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@education.gsi.gov.uk);
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the Bishop of the local RC diocese.

4.69 In addition, where proposals are decided by the LA a copy of the decision **must** be sent to the Office of the Schools Adjudicator, Mowden Hall, Darlington DL3 9BG. Where proposals are decided by the schools adjudicator, a copy of the decision **must** be sent to the LA who maintain the school.

Can proposals be withdrawn? (Paragraph 4.70)

4.70 Proposals can be withdrawn by the proposer, at any point before a decision is taken by the Decision Maker. Written notice **must** be given to the LA, or governing body, if the proposals were published by the LA. Written notice **must** also be sent to the schools adjudicator (if proposals have been sent to him) and the Secretary of State – i.e. via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@education.gsi.gov.uk Written notice **must** also be placed at the main entrance to the school, or all the entrances if there are more than one.

Stage 5 – Implementation (Paragraphs 5.1-5.11)

5.1 The proposers are under a **statutory duty** to implement any proposals which an LA or schools adjudicator has approved, by the approved implementation date. The proposals **must** be implemented as published, taking into account any modifications made by the Decision Maker. If the approval was subject to a condition being met by a specified date, proposers **should** ensure that they meet this. If it looks as though it might not be possible to meet the condition by the specified date, the proposals **must** be considered afresh by the Decision Maker that decided the proposals. The proposer **should** seek a modification to the condition **before** the date has passed.

Can proposals be modified? (Paragraphs 5.2-5.4)

5.2 If it proves impossible to implement the proposals as approved, the proposers can seek a modification and **must** apply to the Decision Maker who decided the proposals. A modification **should** be made before the approved implementation date for the proposals is reached.

5.3 The most common modification is to the implementation date. However, proposals cannot be modified to the extent new proposals are substituted for those that have been consulted upon and published. If proposers wish to make a significant change to proposals after they have been approved, they **must** publish “revocation” proposals to be relieved of the duty to implement the proposals (see 5.5-5.11 below) and publish fresh proposals.

5.4 Before modifying proposals the Decision Maker **must** consult:

- the proposers or the LA who made the proposals;
- the LA, if the LA did not publish the proposals;
- the governing body, if the governing body did not publish the proposals.

The proposals should not be modified in a way that would in effect substitute new proposals – this would run the risk of successful legal challenge in the courts. The Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@education.gsi.gov.uk) **must** be notified of any modification and the date it was approved, within one week of the proposal being modified.

Revocation (Paragraphs 5.5-5.11)

5.5 If proposers cannot implement approved proposals they **must** publish fresh proposals to be relieved of the duty to implement. Regulation 26(2) of the School Organisation (Establishment and Discontinuance of

Schools)(England) Regulations 2007 (as amended) provides that revocation proposals **must** contain the following information:

- a description of the original proposals as published;
- the date of publication of the original proposals;
- details of who published the proposals; and
- a statement as to why it is proposed that the duty to implement proposals **should not** apply in relation to the original proposals.

The proposals can be published as “related” proposals, if appropriate (following consultation). Templates for revocation notices can be found on the School Organisation website (www.dcsf.gov.uk/schoolorg) under ‘Standard Forms’ via the Members’ Area. You need to register to access this area; membership is free.

5.6 The notice **must** be published in a local newspaper circulating in the area served by the school, and also posted at the main entrance to the school (and all entrances if there are more than one) and at some other conspicuous place in the area served by the school. The proposals **must** provide for anyone to submit comments and objections on the proposals to the LA within 6 weeks of the proposals being published. The proposers **must** forward a copy of the proposals to the LA/governing body within 1 week of publication. Proposers are advised to consult interested parties on the planned revocation proposals before publication although there is no statutory requirement to do so.

5.7 Revocation proposals **must** be decided by the LA, except where the original proposals were decided by the schools adjudicator (or School Organisation Committee), or if the schools adjudicator is required to decide any “related” proposals, in which case the LA **must** forward the proposals, and any comments and objections received, to the schools adjudicator within 2 weeks from the end of the representation period. If the LA are to decide proposals they **must** do so within 2 months from the end of the representation period and if not, **must** pass the proposals to the schools adjudicator within 1 week from the end of the 2 month period.

5.8 To approve the proposals the Decision Maker **must** be satisfied that implementation of the original proposals would be unreasonably difficult, or that circumstances have so altered since the original proposals were approved that their implementation would be inappropriate.

5.9 A copy of the decision **should** be forwarded to:

- the LA or governing body who published the proposals;
- each objector except where a petition has been received. Where a petition is received a decision letter **should** be sent to the person who submitted the petition, or where this is unknown, the

signatory whose name appears first on the petition;

- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@education.gsi.gov.uk);
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the Bishop of the local RC diocese.

5.10 The following bodies have a right of appeal to the schools adjudicator if they disagree with the LA's decision:

- The local Church of England diocese;
- The bishop of the local Roman Catholic diocese;
- The LSC where the school is to provide education for pupils aged 14 and over; and
- The governing body and trustees (if relevant) of the school.

5.11 Appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals and the representations (together with any comments made on these representations by the proposers) to the schools adjudicator within 1 week of the receipt of the appeal. The LA need to also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

Annex A**MATTERS TO BE SPECIFIED IN SECTION 15 PROPOSALS TO DISCONTINUE A SCHOOL**

The following sets out the information that must be contained in a complete proposal. Shaded information **must** be published in a statutory notice. See paragraphs 2.2 to 2.10.

NB. If the School Organisation Notice Builder tool is used to create a draft statutory notice, a template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in "Standard Forms" in the Members' Area of the website or you can enter the information required in the expandable boxes below.

Extract of Schedule 4 to The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended):**Contact details**

1. The name of the LA or governing body publishing the proposals, and a contact address, and the name of the school it is proposed that should be discontinued.

Implementation

2. The date when it is planned that the proposals will be implemented, or, where the proposals are to be implemented in stages, information about each stage and the date on which each stage is planned to be implemented.

Consultation

3. A statement to the effect that all applicable statutory requirements to consult in relation to the proposals were complied with.

4. Evidence of the consultation before the proposals were published including:

- a) a list of persons and/or parties who were consulted;
- b) minutes of all public consultation meetings;
- c) the views of the persons consulted; and
- d) copies of all consultation documents and a statement of how these were made available.

Objectives

5. The objectives of the proposal.

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Standards and Diversity

6. A statement and supporting evidence indicating how the proposals will impact on the standards, diversity and quality of education in the area.

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Provision for 16-19 year olds

7. Where the school proposed to be discontinued provides sixth form education, how the proposals will impact on:

- a) the educational or training achievements;
- b) participation in education or training; and
- c) the range of educational or training opportunities,

for 16-19 year olds in the area.

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Need for places

8. A statement and supporting evidence about the need for places in the area including whether there is sufficient capacity to accommodate displaced pupils.

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9. Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.

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Current School Information

10. Information as to the numbers, age range, sex and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is made at the school.

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Displaced Pupils

11. Details of the schools or FE colleges which pupils at the school for whom provision is to be discontinued will be offered places, including:

- a) any interim arrangements;
- b) where the school included provision that is recognised by the LA as reserved for children with special educational needs, the alternative provision to be made for pupils in the school's reserved provision; and
- c) in the case of special schools, alternative provision made by LAs other than

the authority which maintains the school.

12. Details of any other measures proposed to be taken to increase the number of school or FE college places available in consequence of the proposed discontinuance.

Impact on the Community

13. A statement and supporting evidence about the impact on the community and any measures proposed to mitigate any adverse impact.

14. Details of extended services the school offered and what it is proposed for these services once the school has discontinued.

Travel

15. Details of the length and journeys to alternative provision.

16. The proposed arrangements for travel of displaced pupils to other schools including how they will help to work against increased car use.

Related Proposals

17. A statement as to whether in the opinion of the LA or governing body, the proposals are related to any other proposals which may have been, are, or are about to be published.

Rural Primary Schools

18. Where proposals relate to a rural primary school designated as such by an order made for the purposes of section 15, a statement that the LA or the governing body (as the case may be) considered:

- a) the likely effect of discontinuance of the school on the local community;
- b) the availability, and likely cost to the LA, of transport to other schools;
- c) any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and the likely effects of any such increase; and

d) any alternatives to the discontinuance of the school,

as required by section 15(4)

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Maintained nursery schools

19. Where proposals relate to the discontinuance of a maintained nursery school, a statement setting out:

- a) the consideration that has been given to developing the school into a children's centre and the grounds for not doing so;
- b) the LA's assessment of the quality and quantity of alternative provision compared to the school proposed to be discontinued and the proposed arrangements to ensure the expertise and specialism continues to be available; and
- c) the accessibility and convenience of replacement provision for local parents.

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Special educational provision

20. Where existing provision that is recognised by the LA as reserved for pupils with special educational needs is being discontinued, a statement as to how the LA or the governing body believes the proposal is likely to lead to improvements in the standard, quality and/or range of the educational provision for these children.

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Closing a Mainstream School - Factors to be considered by Decision Makers (Extracts from DfE Statutory Guidance)

The information presented below is intended to support Cabinet in their decision-making on the proposal to close Macclesfield High School on 31 August 2011, with closure being conditional on the establishment of an 11-16 Academy on the same site.

FACTORS TO BE CONSIDERED BY THE DECISION MAKER

Factors relevant to this proposal are set out below. Please refer to the Guidance (**Appendix 3 to the Cabinet Decision Paper**) for further information on considering the closure of a maintained school.

1 EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT

Guidance	Paragraph/s	Current Position	Impact of Closure
<p>A System Shaped by Parents The Government's aim - a schools system shaped by parents which delivers excellence and equity.</p> <p>Weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and the best schools are able to expand and spread their ethos and success.</p>	4.17	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	<p>The proposed closure of Macclesfield High School is conditional upon the establishment of an Academy on the same site.</p> <p>Macclesfield College's senior team has an excellent track record of improving outcomes for learners by raising educational standards and the aspirations of young people. The College is also a Beacon College, which is the Government's recognition of excellence, and commits the College to working with other institutions to help them to raise their performance and the College was judged as Outstanding in its most recent Ofsted inspection. The</p>

		<p>High School contributed to the school not being placed in special measures following an OfSTED Inspection in February 2010. The school achieved its National Challenge Target in summer 2010 examinations and the HMI monitoring visit in September 2010 judged the school to be making good progress.</p> <p>The pattern of parental preference in the Macclesfield area means that the majority of surplus places across the town 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, which if realised would result in 30% surplus places at the school. Taking into account the pattern of parental preference, further analysis shows that this surplus figure could be much greater if no action is taken with a potential surplus at Macclesfield High School of up to 67% by 2017 if the other three mainstream schools continue to receive admissions in line with their published admission numbers.</p> <p>Although the school has made progress</p>	<p>College propose to appoint an inspirational Head Teacher as a leader for the Academy, and the College's senior team are confident of applying their educational expertise in a secondary setting</p> <p>As a partner, co-located on the Learning Zone, Macclesfield College would be in a unique position to provide a sustainable solution to the problem of surplus places, with the minimum disruption to the current students of Macclesfield High School and their parents.</p> <p>The proposal opens up the possibility of new curriculum opportunities for Academy students, through partnerships with employers accessed through the College's extensive employer engagement.</p> <p>Under this proposal the Learning Zone would be able to offer young people clear progression routes from Year 7 right through to Higher Education degrees on one modern integrated campus. Making these opportunities fully visible and accessible on a single campus would raise aspirations.</p> <p>Macclesfield College would also build</p>
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		in improving the education offered to its students, it is felt that a radical change in structure is needed to sustain this improvement and to reverse the trend of declining student numbers, and that further sustainable improvement would be best delivered with external support and an appropriate sponsor.	on and enhance its partnership with Park Lane Special School, seeking to develop the opportunities for Park Lane's Key Stage 4 students based upon successful experience within LZ6. Park Lane Special School has also been judged Outstanding by Ofsted and the College would wish to draw on their expertise, particularly in the development of a personalised curriculum and behaviour management. (see Appendix 2.11 – EOI)
<p>The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas.</p> <p>In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents.</p> <p>The Decision Maker should take into account the extent to which the proposals are consistent with the new duties on LAs.</p>	4.18	There are four mainstream secondary schools in Macclesfield, each providing education aged 11 to 18. The current number of mainstream places across the town, including the schools' 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. On the South side of the town, mainstream provision currently includes Macclesfield High School (foundation status) and the nearby All Hallows Catholic College (voluntary aided). In order to provide	<p>An Academy of 600 places would ensure that there are sufficient places in the area whilst offering a non-faith provision with continued access to sixth form education on the existing site.</p> <p>The outcome of formal consultation indicated that, for parents, the key consideration was that education should continue on the same site. This was also a key issue for parents and carers. (See Appendix 2.2 – Formal Consultation Document)</p> <p>The outcomes of informal consultation held in the summer 2010 are available on request by contacting the report writer.</p>

		sufficient places and to ensure diversity in provision, a non-faith school is important. This would ensure that travel and accessibility are not prejudiced for parents and carers seeking a non-faith based education. Feedback received during informal and formal consultation demonstrated that travel and accessibility were key issues for parents and carers of children in the school's community.	
Standards – The Government wishes to encourage changes to local school provision where it will boost standards and opportunities for young people, while matching school place supply as closely as possible to pupils' and parents' needs and wishes.	4.19	<p>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.</p> <p>There are four mainstream secondary</p>	<p>Macclesfield College, sponsor of the proposed Academy has identified key priorities for addressing standards at the school, with the first priority being to appoint a high quality, inspirational Headteacher to lead the Academy. A new Academy staffing structure will be agreed to ensure an effective senior leadership team is established as early as possible.</p> <p>As sponsor, Macclesfield College will ensure a lean and efficient staffing structure is established, in which all staff are fully deployed and contracts fully utilised. The College has significant successful experience of running an effective and efficient educational business.</p> <p>The curriculum, as from September, will</p>

		<p>schools in Macclesfield, each providing education aged 11 to 18. The current number of mainstream places across the town, including the schools' 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. Although Macclesfield High School has made progress in improving the education offered to its students, the pattern of parental preference in the Macclesfield area means that demand for places is low compared with the other three schools and as such, the majority of surplus places are at Macclesfield High School. Whilst the number of pupils attending the 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, which if realised would result in 30% surplus places at the school. Taking into account the pattern of parental preference, further analysis shows that this surplus figure could be much</p>	<p>be revised to create a better match with the needs of learners and to reflect national educational priorities. From Year 7 the Academy will focus upon developing literacy, numeracy and personal learning and thinking skills which underpin all learning. Where reading ages are low on entry the RML scheme will be used to ensure rapid progress. In response to the changing national requirements, a modern language will be available throughout the school. Every student will have an individual learning plan with clear short term and long term targets which will be shared with parents. Regular individual progress reviews will be used to ensure students are on track to achieve their targets. This will enable early intervention where necessary. Setting will be adopted as the norm.</p> <p>A programme of professional development prior to the opening of the Academy will expose staff to outstanding practice and develop a shared understanding of what is required. The programme will continue during the first year to ensure consistent high quality lessons designed to engage, stretch and challenge students, raise achievement and improve</p>
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		<p>greater if no action is taken with a potential surplus at Macclesfield High School of up to 67% by 2017 if the other three mainstream schools continue to receive admissions in line with their published admission numbers.</p>	<p>behaviour. Trained subject learning coaches and Advanced Skills Teachers will provide peer support. A rigorous quality assurance framework will be implemented including:</p> <ul style="list-style-type: none"> regular classroom observations by trained observers with detailed individual feedback and targeted professional development for teachers to bring about rapid improvement provision of an on-line good practice marketplace for teaching and learning rigorous performance management of Department Heads and teachers with challenging goals and targets. <p>Attendance will be improved through an absence monitoring strategy whereby a small team of support staff immediately follow up registered absences by text or phone to students' homes. Strategies introduced in the predecessor school to address behavioural problems in lower teaching sets and to tackle persistent absence in a small minority of students will be evaluated and taken forward or re-vamped as appropriate in advance of opening. The steps set out above to improve teaching and learning and to raise standards will encourage attendance. In addition an After School Club will be introduced to help all students develop life skills and to raise</p>
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			<p>aspirations. This will provide a choice of workshops designed to make learning fun, while highlighting the relevance of core subjects and developing skills that might not be given full attention during school hours. For disengaged students the Club will form part of the strategy for re-engagement and will encourage them to stay in a safe environment after lessons. The Library will be open for extended hours. A holiday club will continue this work outside of school terms.</p> <p>(see Appendix 2.11 – EOI)</p>
<p>Decision Makers should be satisfied that proposals for a school closure will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. Decision-makers should pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.</p>	4.20	<p>Macclesfield High School is a foundation school with specialisms in both arts and technology. It transferred to a new site in September 2007. It is smaller than the average secondary school and has a smaller-than-average proportion of students from minority ethnic backgrounds. Few students speak English as an additional language. The proportion eligible for free school meals is a little above average. The proportion of pupils with special educational needs and/or disabilities is above average, especially those with a statement of special educational needs. Pupil</p>	<p>The Sponsor's vision for the Academy is to become an outstanding school in which every student is happy and strives to achieve his/her full potential. A prime responsibility of the Headteacher will be to establish a new culture and ethos for the Academy with a focus on high expectations of staff and students to raise aspirations, promote achievement and enhance self-esteem. A Statement of Vision, Values and Ethos has already been developed and sets out the following values:</p> <ul style="list-style-type: none"> • promoting and achieving excellence • learning is our first priority: students' interests always come first • actively promoting equality and

		<p>mobility is high, both into and out of the school. Approximately one in five students in Years 8 to 11 attended another secondary school before transferring to Macclesfield High. Half of these arrived with a record of low attendance.</p>	<p>diversity</p> <ul style="list-style-type: none"> • maintaining high standards of ethics and behaviour • encouraging innovation and development in staff and students • acknowledging and using the power of positive thought • working in partnership: promoting effective teamwork and collaborating with partner primary schools. <p>In the first year of opening, the Academy sponsor plans to Improve the quality of senior and middle leadership, Improve the culture and ethos within the school so that aspirations rise for both staff and students, raise standards across all subjects including the core areas so that attainment rises and progress is more rapid for all students, improve the quality of teaching so that it becomes more engaging and students become more actively involved leading to a thirst for and an interest in learning; thereby improving behaviour for learning, improve student attendance and reduce persistent absence, ensure that there is a greater consistency and expectation across all members of the school community so that all areas of the learning environment are well maintained.</p>
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<p>Schools Causing Concern – The Decision Maker should take into account the popularity with parents of alternative schools.</p>	4.22	<p>The data shows that the popularity of Macclesfield High School has been declining over a number of years and this could reach as high as 67% by 2017 if no action is taken. Although the school has made progress in improving the education offered to its students, it is felt that a radical change in structure is needed to sustain this improvement and to reverse the trend of declining student numbers, and that further sustainable improvement would be best delivered with external support and an appropriate sponsor.</p>	<p>The Expression of Interest submitted by Macclesfield College, Academy sponsor to the Secretary of State received ministerial approval on 7 February.</p> <p>A decision on closure would mean that current provision of 1012 places (including the sixth form) would be replaced by a 600 place 11-16 Academy.</p> <p>All children on the roll of Macclesfield High School at the time of closure will automatically transfer to the new Academy, unless they choose to move to another school which has places available.</p>
<p>For all closure proposals involving schools causing concern, copies of the Ofsted monitoring letters for the relevant schools should be made available.</p> <p>The Decision Maker should have regard to the length of time the school has been in special measures, needing significant improvement or otherwise causing concern, the progress it has made, the prognosis for improvement, and the availability of places at other existing or proposed schools within a reasonable</p>	4.23	<p>Macclesfield High School was formally brought into the Schools Causing Concern (SCC) programme in March 2010 as a widening Local Authority intervention programme following the Ofsted inspection in February 2010, which placed the school in the category 'Notice to Improve'.</p> <p>The SCC Plan for the school was an adapted Raising Attainment Plan (RAP), as required for National Challenge. Regular monitoring has</p>	<p>The proposed Academy will be a co-educational, four forms of entry, 11-16 school with a planned admission number of 120 and a total population of 600 delivering education on the Macclesfield High School site and thereby ensuring that the proposal to close the school does not create transport issues. Based on pupil forecasting methodology, at the time of the proposed closure, the planned capacity of 600 places should be sufficient to accommodate all pupils</p>

<p>travelling distance.</p> <p>There should be a presumption that these proposals should be approved, subject only to checking that there will be sufficient accessible places of an acceptable standard available in the area to meet foreseeable demand and to accommodate the displaced pupils.</p>		<p>taken place against the revised RAP plan throughout this year which has utilised the Red Amber Green evaluative process against key priority activities (see Appendix 4.1). The HMI monitoring visit as of 23rd September 2010 assessed the school as having made good progress since the last inspection (see Appendix 4.2). Further LA initiated monitoring has also identified clear progress.</p> <p>The school has only been within an Ofsted category of Notice to Improve for just over 12 months. The progress in terms of standards has been significant as have the improvements in relation to the rigour and challenge by the leadership team to monitor the quality of provision, especially in terms of teaching and learning. All evidence, including the HMI monitoring visit suggests good progress overall.</p>	<p>currently on the roll of Macclesfield High School, together with the new intake for Year 7. In the event that the NOR at the start of the autumn term this year and in future years exceeds the 600 places available, transitional measures will be employed by the proposed Academy to ensure that the needs of all pupils currently attending Macclesfield High School and those offered places for the Year 7 intake are met.</p> <p>Further information is included in the Complete Proposal (Appendix 2)</p>
<p>Academies -</p> <p>Academies are publicly-funded independent schools established in partnership with business and voluntary sector sponsors.</p> <p>All Academies should contribute to a strategic approach to diversity in their area. The involvement of business and</p>	4.25	N/A	<p>The Academy will be a co-educational, four forms of entry, 11-16 school with a planned admission number of 120 and a total population of 600. There will be no faith designation. The Academy will be located within an educational campus (the Macclesfield Learning Zone) opened in September 2007 and</p>

<p>other non-Government partners will enable Academies to develop and implement new approaches to governance, teaching and learning in order to raise standards. All Academies will be required to share their facilities and expertise with other local schools and the wider community.</p>			<p>shared with Macclesfield College (sponsor) and Park Lane Special School. The new campus includes specialist sixth form provision through the Learning Zone Sixth Form College (LZ6) which provides a full range of academic and applied learning courses for 16-19 year olds from Foundation Learning to Advanced level study. Year 11 students from across East Cheshire, including students at Macclesfield High School, and students in the surrounding areas of south Manchester and Derbyshire currently apply to study there post-16.</p> <p>The Macclesfield Learning Zone offers an unrivalled choice of opportunities for sixth form study. In addition to LZ6, ECAT (the European Centre for Aerospace Training) provides technical and occupational Engineering training for sixth formers and the main FE College offers occupational training in Professional Cookery, Hospitality, Hairdressing and Beauty Therapy for 16-19 year olds, plus specialised provision in Art and Design. On the Learning Zone campus Macclesfield College also offers Apprenticeships, and Foundation and Honours Degrees validated by Manchester Metropolitan</p>
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			<p>University. Thus the Learning Zone provides young people with clear progression routes from age 11 to GCSEs in the Academy, through to A levels, vocational qualifications or an Apprenticeship, and on to Higher Education.</p> <p>Metropolitan University (MMU), Siemens plc and AstraZeneca have agreed to act as partners in the Academy – serving on the trustee board and bringing their expertise to the development. In particular MMU's Institute of Education will work with Macclesfield College and the Academy Headteacher to design a curriculum and establish practices to raise standards. Siemens and AstraZeneca (both major local employers) will provide curriculum enhancement through STEM Ambassadors leading industry related activities and student competitions, speaking about their roles and careers, acting as business mentors and hosting visits to the workplace. The aim will be to enrich knowledge of the world of work and to develop important core skills.</p> <p>The trustee board will comprise senior managers from Siemens plc,</p>
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			AstraZeneca and Manchester Metropolitan University, the Principal of Macclesfield College and members of the Macclesfield College Corporation (Governing Body), one of whom will be chair of the Academy Governing Body
Where an Academy is to replace an existing school or schools, the proposals for the closure of those schools should indicate whether pupils currently attending the schools will transfer to the Academy and, if appropriate, what arrangements will be made for pupils who are not expected to transfer.	4.26	The public notice states that all children on the roll of Macclesfield High School at the date of closure will automatically transfer to the new Academy, unless they choose to move to another school which has places available. (See Appendix 1) . In such cases parents will be able to complete an application through the LA's coordinated admission process.	
If provision for pupils at a school proposed for closure is dependent on the establishment of an Academy, or the extension or enlargement of an existing Academy, any approval of the closure proposals should be conditional on the Secretary of State making an agreement for a new Academy, or agreeing to the extension or enlargement of an existing one but there should be a general presumption in favour of approval.	4.27	Within the explanatory notes section of the public notice, it states that: 'Academies are publicly funded independent schools with sponsors from the private and voluntary sectors. The establishment of an Academy is subject to the agreement of the Secretary of State. It is proposed that the closure of Macclesfield High School should 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	Statement of intent to establish an academy received ministerial approval in November 2010 Expression of Interest signed on 7th Feb 2011 Project Team appointed by the College on 1st March

		Macclesfield High School.'	
Diversity – The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.	4.29	See paragraphs 4.18 -4.20 above	The creation of an Academy would support the Local Authority in its strategy to provide excellent education for all. See paragraphs 4.18 -4.20 above.
Decision Makers should consider how proposals will impact on local diversity. They should consider the range of schools in the relevant area of the LA and how the closure of the school will ultimately impact on the aspirations of parents, help raise local standards and narrow attainment gaps.	4.30	Paragraph 4.18 – 4.20 above	See paragraph 4.18 - 4.20 above
Every Child Matters – The Decision Maker should consider how proposals will help every child and young person achieve their potential in accordance with "Every Child Matters" principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This should include considering how displaced pupils will continue to have access	4.33	Macclesfield High School has provided access for students and parents to an Extended Services "core offer" which comprised; <ul style="list-style-type: none"> • high-quality, year-round childcare on school sites between 8am and 6 pm • a varied menu of study support and a variety of after-school, volunteering and enterprise activities 	A condition of the Section 106 agreement for the Learning Zone site in relation to Macclesfield High School and Macclesfield College requires that the school site provides for community use. In the event that the Academy is established it is therefore expected that any current provision will continue. <p>In addition to the aforementioned, the EOI states that an After School Club will</p>

extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.		<ul style="list-style-type: none"> parenting support (information, family learning) swift and easy access to a wide range of specialist support services (on or off school sites) wider community access to ICT, sports and arts facilities, including adult learning. <p>This offer was a requirement on all schools in England from 2010 as part of the policy of the previous Government. However Government policy now no longer places this expectation on schools, believing that Headteachers and governors are best placed to make decisions about provision at a local level. Future policy and practice will therefore be a matter for consideration and decision for the Academy.</p>	be introduced to help all students develop life skills and to raise aspirations. This will provide a choice of workshops designed to make learning fun, while highlighting the relevance of core subjects and developing skills that might not be given full attention during school hours. For disengaged students the Club will form part of the strategy for re-engagement and will encourage them to stay in a safe environment after lessons. The Library will be open for extended hours. A holiday club will continue this work outside of school terms. (see Appendix 2.11 - EOI)
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2 NEED FOR PLACES

Guidance	Paragraphs	Current Position	Impact of Closure
Provision for Displaced Pupils - Where proposals will remove provision, The Decision Maker should consider the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for those schools.	4.34	<p>The Local Authority is mindful of the need to remove surplus places and use resources more effectively, particularly in raising standards.</p> <p>Closure is conditional on the establishment of an Academy on the</p>	<p>The 1012 places at Macclesfield High School will be replaced by a 600 place Academy to address the surplus.</p> <p>(see Appendix 2 – Complete Proposal) Displaced pupils will be automatically placed in the academy.</p>

		<p>same site.</p> <p>The responses received during formal consultation indicate that parents and pupils do want to retain provision on the existing site. (see Appendix 2.2 – Formal Consultation Doc)</p>	<p>By establishing the 11-16 Academy surplus places will be removed. However educational provision will continue to be delivered where parents within the community have said they want them. See above re Academy proposal for raising standards.</p>
<p>Surplus Places-</p> <p>Empty places can represent a poor use of resources. The Secretary of State wishes to encourage LAs to organise provision in order to ensure that places are located where parents want them. LAs should take action to remove empty places at schools that are unpopular and do little to raise standards or improve choice. The removal of surplus places should always support the core agenda of raising standards and respect parents' wishes by seeking to match school places with parental choices.</p>	4.35	See above at paragraph 4.34	See above at paragraph 4.34
<p>The Decision Maker should normally approve proposals to close schools in order to remove surplus places where the school proposed for closure has a quarter or more places unfilled, and at least 30 surplus places, and where standards are low compared to standards across the LA.</p>	4.36	<p>The standards at Macclesfield HS compared to other schools across Cheshire East (comparison against 22 other Secondary Schools) shows that in 2009-10, the school was ranked the lowest of all LA schools in terms of 5+A*-C including English and Maths as well as for 5+ A*-C. A similar position was seen in the previous year although results in 2008 were improved.</p>	See above re paragraphs 4.19 -4.20

		<p>In terms of A Level performance, the school compares more favourably with 92.2% of learners achieving 3 or more A*-E grades compared to the Authority average of 89.5%</p> <p>Also see above at paragraphs 4.17 - 4.19</p>	
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3 IMPACT ON THE COMMUNITY AND TRAVEL

Guidance	Paragraph/s	Current Position	Impact of Closure
Impact On Community – Some schools may already be a focal point for family and community activity, providing extended services for a range of users, and its closure may have wider social ramifications. In considering proposals for the closure of such schools, the effect on families and the community should be considered. Where the school was providing access to extended services, some provision should be made for the pupils and their families to access similar services through their new schools or other means.	4.37	N/A	See above at paragraph 4.33.
The information presented by those bringing forward proposals to close such schools, particularly when they are in receipt of funding as part of regeneration	4.38	N/A	N/A

activity, should therefore include evidence that options for maintaining access to extended services in the area have been addressed. The views of other relevant agencies and partnerships with responsibility for community and family services should be taken into account, alongside those of the local police, Government Offices and Regional Development Agencies having responsibility for the New Deal for Communities.			
<p>Community Cohesion and Race Equality -</p> <p>When considering proposals to close a school the Decision Maker should consider the impact of the proposals on community cohesion. This will need to be considered on a case by case basis, taking account of the community served by the school and the views of different sections within the community. In considering the impact of the proposals on community cohesion the Decision Maker will need to take account of the nature of the alternative provision to be made for pupils displaced by the closure and the effects of any other changes to the provision of schools in the area.</p>	4.39	See Appendix 2.1 –Formal Consultation Summary	<p>As the closure is conditional upon the establishment of an Academy on the same site, it is not anticipated that there will be any negative impact on the local community.</p> <p>As stated in the College’s own proposal document (Appendix 4.3 – The Vision), the Academy plans to working in partnership by promoting effective teamwork within work teams, across the Academy and across the Macclesfield Learning Zone; by collaborating with partner primary schools, with partners in the Macclesfield Learning Zone and with other partners to benefit students, staff and the wider community and by working with our primary partners in the learning community to ensure excellent</p>

			transition to the Academy from primary schools
Travel and Accessibility for All - The Decision Maker will need to take account of the nature of the alternative provision to be made for pupils displaced by the closure and the effects of any other changes to the provision of schools in the area.	4.40	Pupils will not be displaced by this proposal as the closure is conditional on the signing of the funding agreement for the establishment of an Academy on the same site. Pupil projections indicate that the 600 places will be sufficient to accommodate all children currently on the school's roll and in the event that the numbers at the time of closure exceeded this capacity, transitional measures would be employed by the Academy, as stated in the attached EOI (Appendix 2.11) . Current arrangements for travel and accessibility will therefore not be affected by a decision on closure.	All children on the roll of Macclesfield High School at the time of closure will automatically be entitled to a place at the new Academy on the same site.
In deciding statutory proposals, the Decision Maker should bear in mind that proposals should not have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance ref 00373 – 2007BKT	4.41	As above at paragraph 4.40	As above paragraph 4.40

4 SCHOOL CHARACTERISTICS

Guidance	Paragraph/s	Current Position	Impact of Closure
Equal Opportunity Issues – The Decision Maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.	4.46	Macclesfield High School is a co-educational 11-19 mainstream school.	The Academy will be a co-educational 11-16 mainstream school. A prime responsibility of the Head will be to establish a new culture and ethos for the Academy with a focus on high expectations of staff and students to raise aspirations, promote achievement and enhance self-esteem. The Academy will welcome every student personally each morning and strive to support individual needs. A Statement of Vision, Values and Ethos has already been developed and sets out the following values: <ul style="list-style-type: none"> • promoting and achieving excellence • learning is our first priority: students' interests always come first • actively promoting equality and diversity maintaining high standards of ethics and behaviour • encouraging innovation and development in staff and students acknowledging and using the power of positive thought • working in partnership: promoting effective teamwork and collaborating with partner primary schools. Parents will sign a Home-School

			<p>Agreement, which reflects the values and ethos, and sets out clearly what is expected of students.</p> <p>(See Appendix 4.3 - The Vision)</p>
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5 SPECIFIC AGE PROVISION ISSUES

Guidance	Paragraph/s	Current Position	Impact of Closure
<p>14-19 Curriculum and Collaboration The Government has ambitious plans to increase post-16 participation rates and improve the skills of learners. The foundation for making progress is a transformed, coherent 14-19 phase offering a rich mix of learning opportunities from which young people can choose tailored programmes and gain qualifications appropriate to their aptitudes, needs and aspirations. This will be achieved by better collaboration between local providers, including schools, colleges, training providers and employers. Decision Makers should therefore consider what measures are being proposed to ensure that opportunities available to students in this age group are not reduced by the school closure, although the absence of</p>	4.50	N/A	<p>Further integration of the Learning Zone would provide clear progression routes from Year 7 through to Higher Education, apprenticeships and skilled employment on one modern, integrated 11 - 18 campus. Students will benefit from new and engaging opportunities through the College's long-established partnerships with high-profile local business and Higher Education.</p> <p>The Academy will be located within an educational campus (the Macclesfield Learning Zone) opened in September 2007 and shared with Macclesfield College (sponsor) and Park Lane Special School. The new campus includes specialist sixth form provision through the Learning Zone Sixth Form</p>

<p>such measures should not prevent the closure of a poorly-performing school.</p>			<p>College (LZ6) which provides a full range of academic and applied learning courses for 16-19 year olds from Foundation Learning to Advanced level study. At present LZ6 provides the joint sixth form for Macclesfield College, Macclesfield High School and Park Lane Special School. This is a semi-formal arrangement underpinned by legal agreements but LZ6 is not a formal legal entity and the students are funded via Macclesfield High School if they are following an A level course or through Macclesfield College for applied learning courses. Nevertheless LZ6 is marketed separately and so Year 11 students from across East Cheshire and the surrounding areas of south Manchester and Derbyshire apply to study there post-16. This includes Year 11 students at Macclesfield High School.</p> <p>When the 11-16 Academy opens on 1 September 2011 the Year 13 A level students will transfer to Macclesfield College's roll and all new A level students will similarly be placed on the College roll. This transfer has already been discussed with the Young People's Learning Agency who are making the necessary contractual</p>
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			<p>arrangements for the transfer. Since students and their parents already regard themselves as students of LZ6 and are unaware of the separate funding streams that underpin the current arrangements, they will be unaffected by these legal changes. A levels will continue to be taught by Academy teachers, whose A level teaching hours will be purchased by the College.</p> <p>The Macclesfield Learning Zone offers an unrivalled choice of opportunities for sixth form study. In addition to LZ6, ECAT (the European Centre for Aerospace Training) provides technical and occupational Engineering training for sixth formers and the main FE College offers occupational training in Professional Cookery, Hospitality, Hairdressing and Beauty Therapy for 16-19 year olds, plus specialised provision in Art and Design. On the Learning Zone campus Macclesfield College also offers Apprenticeships, and Foundation and Honours Degrees validated by Manchester Metropolitan University. Thus the Learning Zone provides young people with clear progression routes from age 11 to GCSEs in the Academy, through to A</p>
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			levels, vocational qualifications or an Apprenticeship, and on to Higher Education
<p>16-19 Provision – General – The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:</p> <ul style="list-style-type: none"> standards and quality: the provision available should be of a high standard – as demonstrated by high levels of achievement and good completion rates; progression: there should be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes should make provision for the pastoral, management and learning needs of the 14-19 age group; participation: there are high levels of participation in the local area; and, learner satisfaction: young people 	4.51	<p>Macclesfield High School is part of a strong local 14-19 consortium and has for several years established effective collaborative provision with local schools/colleges across Macclesfield and wider. The introduction of Diplomas was successfully implemented by the Consortium with a diverse range of learner pathways available. In terms of A Level provision, there are well established quality assurance processes in place within LZ6 where joint monitoring arrangements are in place involving the school and Macclesfield College.</p> <p>In terms of success rates, in 2009-10, 51 students were entered for A levels with an overall pass rates of 100% in terms of 2 or more A*-E grades. This compares favourably to an Authority average of 98%. Trends over the last 3 years shows similar high rates of achievement. The school achieves good completion rates.</p> <p>School has taken advantage of collaborative programmes available and have facilitated access by their learners since 2008. 8 learners took part in the</p>	See above at paragraph 4.50

<p>consider that there is provision for their varied needs, aspirations and aptitudes in a range of settings across the area.</p>		<p>Engineering Diploma from 2008-2010 and of these 7 passed the full Diploma, (1 learner did not complete necessary Work Exp.) There are currently 10 learners involved in 2009-2011 Diploma programmes with another 5 who started in 2010. Current indications are that there will be no learners starting the Diploma course from 2011. This includes Quality Assurance processes of joint observations and learner voice collections – returns so far have found all lessons to be at least good with 25% rated as outstanding. Learner feedback has been positive overall. They were not involved with the Key Stage 4 Engagement but have are participating in Foundation Learning. 8 learners in year 10 are following the programmes with plans for another 13 to start in 2011. These learners are following the vocational programmes at Macc. College with the school providing the necessary support and access to the PSD and Functional Skills programmes. Learner views are being collected as part of the monitoring of this which indicate high levels of learner satisfaction so far. They have also taken advantage of working with LA and Consultant to develop capacity for the future.</p>	
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		As an identified Aim Higher school they have had access to a range of curriculum events to encourage their learners into HE. Detailed discussions have already been initiated with the YPLA regarding the funding arrangements for 16-19 provision as from September 2011 which involves Macclesfield College.	
Where standards and participation rates are variable, or where there is little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.	4.52	See above at paragraph 4.51	See above at paragraph 4.50
Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.	4.53	See above at paragraph 4.51	See above at paragraph 4.50

6 OTHER ISSUES

Guidance	Paragraph/s	Current Position	Impact of Closure
Views of interested parties – The Decision Maker should consider the views of all those affected by the proposals or who have an interest in them.	4.63	Appendix 6 sets out the formal consultation process implemented by the Local Authority between 8 November 2010 and 14 January 2011	N/A

<p>The Decision Maker should not simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker should give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.</p>	<p>and the outcomes from this. It is important to note that the process has also included a pre-statutory consultation stage, which commenced On 24 June 2010, the Council's Cabinet Member deferred decision-making on Macclesfield re-organisation and instead authorised further informal consultation up until 8 October 2010 on a range of options and inviting feedback from interested parties on alternative options.</p> <p>The outcome from the informal consultation was presented at the meeting of the Council's Cabinet Member with responsibility for Children and Families Services on 8 November whereupon a decision was taken 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. Copies of these informal consultation documents, which details the outcome of the <i>informal</i> consultation process implemented up until 8 October 2010 are available in the Cabinet Office or on request from the report writer.</p>	
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**LA Support for the School's National Challenge
Raising Achievement Plan encompassing the Post
OfSTED Action**

(Updated 24.1.11)

Fourth Review Meeting : 1st February 2011

OfSTED area for improvement

- Raise attainment by ensuring that
 - Students make at least their expected progress in all subjects
 - Students who started Y7 below L4 make good progress in improving their basic skills and levels of achievement at GCSE

Strategic School Action specifically supported by LA	LA support (person responsible)	Milestone 3 (by December 31 st 2010)	RAG RATING	PROGRESS TO DATE & SUMMARY OF LA MONITORING
1. Identify all students within KS4 cohort with the potential to achieve target 5A*-C grades inc English & Maths	Mike Harris : Lead National Strategy Consultant Supported by specialist Consultants – Maths and English	1.1 All Year 11 pupils are fully aware of their predicted grades and can identify the actions needed to improve performance.		<ul style="list-style-type: none"> Individual targets shared with Y11 students leading from whole school target wall Grade criteria shared with students Students articulate to mentors and teachers areas for improvement
		1.2 Year 11 Mock exams have been completed and pupils are aware of their results and the actions needed to improve performance.		<ul style="list-style-type: none"> Students received colour-coded grades indicating below/on/above targets Reset maths groups Refine target white groups based on full Y11 reports (Jan 2011)

Strategic School Action specifically supported by LA	LA support (person responsible)	Milestone 3 (by December 31 st 2010)	RAG RATING	PROGRESS TO DATE & SUMMARY OF LA MONITORING
2. Design a consistent approach to tracking performance and interventions across Maths, English and all faculties including whole school approach to APP in the core subjects	<u>LA Monitoring Team Members:</u>	2.1 SMT undertake detailed analysis of tracking point following Mocks with summaries provided to the RAP Management Group (RMG). Actions agreed and implemented with targeted depts and staff.		<ul style="list-style-type: none"> LA Plan broken down in milestones – used for specific tracking purposes. Dates and expectations shared with staff on 1st September J Fleming led tracking through faculty review weeks A Dutoy organised focused learning walks S Whitehurst organised 'white group' for below level 4 and targeted one-to-one tuition for Y8/Y11 students
	Lesley Oldfield Monitoring & Intervention Manager	2.2 A revised Year 11 target for 5 A*-C incl E&M is set based upon Mock exams. All staff, pupils and Governors are aware of this revised target		<ul style="list-style-type: none"> New estimate for end of January 2011 is 48% based on mock exams and interim assessments Governors to consider new FFTD figure of 52% (Jan 11) as new target
	Mark Bayley Quality Assurance Manager	2.3 The Governing Body continues to be informed of tracking data and the actions which have been agreed by the RMG		<ul style="list-style-type: none"> Chair of Governors attends RMG meetings Outcome of meetings recorded on RAP evaluation sheets and transferred to chronological diary for governors Details shared with Committee A
3. All faculties to use data to assess student performance within and across departments, showing progress every 4 weeks. Departmental policies adjusted to reflect this				
4. Introduce departmental review week each half term to evaluate progress, including, assessment progress checks, work scrutiny, interviews with students		4.1 Dates of focused review agreed and specific areas of focus confirmed		<p>Departmental review dates built into school calendar:</p> <ul style="list-style-type: none"> 20th – 24th September 8th – 12th November Additional review week added 17th to 21st January focusing on differentiation 1st – 4th March 16th – 20th May Learning walks to continue to focus on identified A to D criteria inc. differentiation, marking, questioning and target setting with students Talking to students in lessons re. progress as part of reviews

Strategic School Action specifically supported by LA	LA support (person responsible)	Milestone 3 (by December 31 st 2010)	RAG RATING	PROGRESS TO DATE & SUMMARY OF LA MONITORING
5. Establish Inclusion Team to provide alternative programmes for students struggling with mainstream classes				
6. Learning needs for each student who started Year 7 below Level 4 to be identified and addressed		6.1 Tracking of Year 8 shows continued improvements in learning of targeted pupils.		<p>Year 8 Data tracking shows levels of progress for students: Jan 11:</p> <ul style="list-style-type: none"> 12% have reached FFT D (7% increase on Nov 2010) 60% within 2 sub-levels of FFT D (+3%) 27% one level below FFTD (-11%) <p>Improvement from Dec 09 to Jan 11 shows increases in % achieving:</p> <ul style="list-style-type: none"> 1 level progress from 2% to 19% to 26% 1 or 2 sub-levels progress from 15% to 60% to 60% No progress down from 35% to 18% to 12%
		6.2 New Year 7 pupils identified for intensive support who are below level 4.		<ul style="list-style-type: none"> All below level 4 students identified on primary visits prior to entry CAT tests conducted Maths and English Basic Skills receiving targeted tuition
Benchmark Milestones		Tracking data points show that a minimum of 60% of pupils are secure in achieving predicted grades following Mock exams		<ul style="list-style-type: none"> 48% of predicted 43% on track to achieve 5+ A*-C grades at Jan 11 which equals 100% secure in achieving predicted grades following mocks.
		1:1 Tuition programmes – Completed programmes within Autumn term show at least 80% improved rates of progress.		<ul style="list-style-type: none"> 1:1 tuition deliberately scheduled for March to May 2011
		80% of targeted pupils are receiving high quality mentoring		<ul style="list-style-type: none"> All targeted students receiving mentoring
		75% of lessons observed are good or better.		<ul style="list-style-type: none"> 65% lessons good or better 84% of 6th form good or better Increase in number of Outstanding lessons in recent LA monitoring visit (7 Outstanding, 4 Good with Outstanding features) Nov 10

Strategic School Action specifically supported by LA	LA support (person responsible)	Milestone 3 (by December 31 st 2010)	RAG RATING	PROGRESS TO DATE & SUMMARY OF LA MONITORING
		Year 7 tracking shows 80% of pupils below L4 are on track to be above by year end.		<ul style="list-style-type: none"> 72% of below level 4 made one sub-level of progress in English. 76% of below level 4 made one sub-level of progress in maths 61% of students in science have moved up to the next level
		No inadequate lessons observed		4 inadequate lessons were observed in the LA monitoring visit. All staff consulted and targets for improvement identified
Monitoring	Monitoring Group to be established including the Head teacher, QA Manager, M&I Manager, E&E Managers, NCA and Governor	Monitoring Group meeting (half termly) to review progress of RAP plan to met agreed milestones above <u>Date 1st February 2011</u>		RAP meeting with Mike cooper on 26.01.11 confirmed: English current performance at 65% with aspirational target of 61% (FFTD). Maths current performance of 48.6% with aspirational target of 55% (2% above FFTD).
Evaluation	Focused reviews involving LA officers, external commissioned services and the school	Focused one day review by the school with two LA officers		Date to be agreed.

OfSTED area for improvement

- Improve the attitudes to learning of a small minority of students by ensuring that:
 - Expectations of behaviour are consistently high
 - Teaching motivates and challenges students to achieve specific outcomes that help them meet their targets

School Action	LA support (person responsible)	Milestone 3 (by December 31 st 2010)	RAG RATING	PROGRESS TO DATE
1. Ensure that monitoring, classroom visiting and sharing of good practice is established so that all teaching reaches the standards of the best.	Les Hodgkison – Behaviour for Learning Consultant Kathy Clayton – Behaviour support team Securing good behaviour audit repeated to provide a detailed review of attitudes to learning by end of Autumn Term.	1.1 Intensive mentoring of individual depts or staff where poor behaviour continues to be observed.		<ul style="list-style-type: none">Identified need, specified CPD and monitoring impactAdditional teachers used to support identified classes for targeted supportScience targeted for close intervention: AST involved; LA involved; NC Adviser involvedDepartmental reviews confirm pace and questioning and extended to develop differentiationClose targets set for under-performance – inadequately challenged – one teacher resignedINSET with carousel of teaching skills showed good practice – marking workshop
2. Review and establish effective BfL policies in everyday classroom practice, engaging students and teachers		2.2 High Focus on out of classroom behaviour and uniform from all staff.		<ul style="list-style-type: none">Continued emphasis on uniform with orange slip monitoringImportance of good classroom behaviour reiterated by all staffHotspots identified for SLT visitsPowerpoint shared with children through registration – sharing good behaviour
		2.1 Programme of sharing best practice – buddy support and departmental strategies is successful		<ul style="list-style-type: none">Introduction of peer observations to share good practice triangulationAST focus on teaching points in briefings and shared faculty reviews of good markingFaculty review templates used as basis for further action
		2.2 Use of electronic recording system for behavioural incidents shows less reliance on external interventions.		<ul style="list-style-type: none">Introduction of SIMS package to record incidentsRationalisation of old and new system of recording behaviour now transferred to SIMSUse of new Behaviour Support Team to address disaffected students – wider group of students now targetedElectronic reporting system operating from Autumn term

School Action	LA support (person responsible)	Milestone 3 (by December 31 st 2010)	RAG RATING	PROGRESS TO DATE
				<ul style="list-style-type: none"> Y8 teaching groups rearranged from January 2011
3. Regular assessment tasks to check learning in all subject areas; monthly progress reviews.		3.1 Full evaluation of TA / mentor role and impact on attitudes to learning		<ul style="list-style-type: none"> September meetings with Student Councils and House Officers to assess attitudes to T&L Further analysis of T&L as part of Departmental Review Weeks Report to governors on impact of mentor role – January 2011 Student reviews of mentoring : positive Headteacher meeting with TAs January 11.
Benchmark milestones		75% of lessons observed are good or better		<ul style="list-style-type: none"> Sixth form TALO observations show improved performance. 85% good. Departmental TALOs and learning walks (and therefore ungraded) have been undertaken. 65% of lessons were good or better meeting the OfSTED summer target. Any identified as unsatisfactory were revisited and targets set
		Reduction in the number of on-call incidents		<ul style="list-style-type: none"> Significant reduction in isolation figures from 84 in September-October 2009 to 39 in September-October 2010. Considerable reduction continued throughout second half-term
		Number of fixed term exclusions reduced		<ul style="list-style-type: none"> Fixed term exclusions for 2009/2010 were 265, a 17% reduction on 2008/09 figure of 319. Fixed term exclusions further reduced in 2010/11: Sept 2010-Jan 2011 : 40 students, 60.5 days Sept 09-Jan 2010 : 129 students, 256 days Reduction: 89 students, 195.5 days Use of ALTERNATIVE PROGRAMME reduced in 2010/11 6 students have been placed on MYAF from September 2010.

School Action	LA support (person responsible)	Milestone 3 (by December 31 st 2010)	RAG RATING	PROGRESS TO DATE
Monitoring	Monitoring Group to be established including the Head teacher, QA Manager, M&I Manager, E&E Managers, NCA and Governor	Monitoring Group meeting (half termly) to review progress of RAP plan to meet agreed milestones <u>Date: 1st February 2011</u>		RAP meeting with Mike cooper on 26.01.11 confirmed: English current performance at 65% with aspirational target of 61% (FFTD). Maths current performance of 48.6% with aspirational target of 55% (2% above FFTD).
Evaluation	Focused reviews involving LA officers, external commissioned services and the school	Focused one day review by the school with two LA officers <u>Date:</u>		<ul style="list-style-type: none"> Review completed on 8/9 November. Full advisory report submitted confirming school improvement focus on differentiation, marking, teaching and learning inc. recommendation to share good practice observed in outstanding lessons.

OfSTED area for improvement

- Improve attendance and punctuality by
 - Reducing persistent absence
 - Increasing the effectiveness of rewards for regular attendance
 - Encouraging more support from parents and carers

School Action	LA support (person responsible)	Milestone 3 (by December 31 st 2010)	RAG RATING	PROGRESS TO DATE
1 More effective engagement of parental support to recognise the importance of good attendance.	Les Hodgkison – BfL Consultant Anne Vaughan- Griffith – Acting Senior Education Welfare Officer	1.1 DCSF Securing Good Attendance Action Plan – priorities reviewed each half term – outcomes reported to Govs		<ul style="list-style-type: none"> Attendance strategies and impact (94% per month Sept-Dec 2010) praised by LA monitoring team. Well above LA target of 91.8. Team invited to share good practice with other CE schools Full review reported to governors in January 2011 Flu epidemic – DfE notified Attendance procedures reviewed and approved by Governors 20.9.10.
		1.2 Dedicated member of support staff with responsibility for improving attendance has regular meeting with LA to agree short term actions and analyse data.		<ul style="list-style-type: none"> Full time Attendance Officer having measureable impact from September 2010 (C Shuttleworth) Attendance newsletter distributed to all parents/carers Dec 2010 Power points shared with all tutor groups in registration time Jan 2011 Regular meetings with EWO and LA Consultant
		1.3 SMT receive fortnightly attendance data returns and agree actions.		<ul style="list-style-type: none"> SMT receive weekly attendance and punctuality updates Headteacher communicates directly with Attendance Officer and SLT colleague responsible
2 Ensure regular praise /rewards linked to improved attendance		2.1 Reward programmes fully in place – end of term celebrations for most improved pupils		<ul style="list-style-type: none"> New attendance targets and rewards programme shared with all staff and students Reward trip on 4th Feb – 100 of 150 at 98.6 Attendance improved to 91.7 (exceeding 91.6 target) by end of summer term 2010 Attendance sustained at 94% throughout Autumn Term and at 93% during flu epidemic .

School Action	LA support (person responsible)	Milestone 3 (by December 31 st 2010)	RAG RATING	PROGRESS TO DATE															
3 Ensure follow-up visits to vulnerable families using Family Liaison Co-ordinator and EWO Service		3.1 Targeted families heavily supported by Family support worker and EWS		<ul style="list-style-type: none">Family Support Worker - Pauline Holt – visiting targeted familiesFamily programmes in placeExtensive home visits and coffee morningEWO Service playing active role in support of school															
4 Establish Alternative provision Programme to improve attendance, reduce fixed term exclusions and focus learning		4.1 PA returns to DCSF show improved attendance. Mentoring programme established for PA students – impact seen on targeted learners		<ul style="list-style-type: none">Alternative Programme implemented from October 2009 and having positive effect on student completion of coursework tasks but reduced need since September 2010Attendance improved to 91.7 (exceeding 91.6 target) by end of summer term 2010. 94% December 2010.Behaviour Support Team targeting disaffected learners															
Benchmark milestones		PA return shows continuing decline in the number of PA pupils compared to summer data		PA absence data submitted to DfE <table><tr><td></td><td>6.11.10</td><td>8.1.11</td></tr><tr><td>2009/10</td><td>94/3</td><td>80/21 – 11.17%</td></tr><tr><td>2010/11</td><td>46/0</td><td>32/6 – 4.96%</td></tr><tr><td>Y11 2009/10</td><td>29</td><td>23</td></tr><tr><td>Y11 2010/11</td><td>13</td><td>8</td></tr></table>		6.11.10	8.1.11	2009/10	94/3	80/21 – 11.17%	2010/11	46/0	32/6 – 4.96%	Y11 2009/10	29	23	Y11 2010/11	13	8
		6.11.10	8.1.11																
2009/10	94/3	80/21 – 11.17%																	
2010/11	46/0	32/6 – 4.96%																	
Y11 2009/10	29	23																	
Y11 2010/11	13	8																	
		Overall attendance data shows rate above 92% for the term especially for Year 11 cohort.		95% agreed for all year groups. Y11 best figures since 2008 with 93.5% attendance.															
Monitoring	Monitoring Group to be established including the Head teacher, QA Manager, M&I Manager, E&E Managers, NCA and Governor	Monitoring Group meeting (half termly) to review progress of RAP plan to meet agreed milestones <u>Date: 1st February 2011</u>		RAP meeting with Mike Cooper on 26.01.11 confirmed: English current performance at 65% with aspirational target of 61% (FFTD). Maths current performance of 48.6% with aspirational target of 55% (2% above FFTD).															
Evaluation	Focused reviews involving LA officers, external commissioned services and the school	Focused one day review by the school with two LA officers <u>Date:</u>		To be arranged															

Suite 22 West Lancs
Investment Centre
Maple View
Skelmersdale
WN8 9TG

T 0300 123 1231
Text Phone: 0161 618 8524 **Direct T** 01695 566932
enquiries@ofsted.gov.uk **Direct F** 01695 729320
www.ofsted.gov.uk **Direct email:** hcarnall@cftb.com

23 September 2010

Mr Kevin Harrison
Headteacher
Macclesfield High School
Park Lane
Macclesfield
Cheshire
SK11 8JR

Dear Mr Harrison

Notice to improve: monitoring inspection of Macclesfield High School

Thank you for the help which you and your staff gave when I inspected your school on 22 September 2010 and for the information which you provided during the inspection.

In response to falling rolls across Macclesfield, the local authority has recently initiated informal consultation with the local community about possible closure of the school from August 2011. Uncertainty about the school's future has contributed to a 9% drop in the school's population since the last inspection.

As a result of the inspection on 04 February 2010, the school was asked to address the most important areas for improvement, which are set out in the annex to this letter.

Having considered all the evidence I am of the opinion that at this time the school is making **good progress** in addressing the issues for improvement and in raising students' achievement.

Students' attainment has risen. For example, at Key Stage 4 the proportion of students gaining five or more good GCSEs including English and mathematics rose markedly from 31% in 2009 to an unvalidated figure of 42% in 2010. Higher attainment and improved progress were evident in a range of subjects, including English and mathematics, although results in science remained significantly below average. Improved results were also evident in the sixth form. The school's tracking data seen during the inspection suggest that these higher results can be sustained and built on in future years. Similarly, tracking data illustrate that less-able students now make progress in line with other groups.

Although still an area of concern, attendance has risen. The school has introduced a range of measures aimed at improving attendance, including appointing for the first time a full-time attendance manager to work alongside the family liaison officer. These appointments are supporting the school's drive to engage the support of parents and carers in encouraging regular attendance. Attendance now has a much higher profile in the school and this is understood both by staff and students. The impact of the school's strategies, including the reward system, is evident in the whole-year attendance figures for 2009/10, which show a clear improvement on the previous year and met the school's target agreed with the local authority. Similarly, concerted efforts from the school have reduced the proportion of students who are persistent absentees, although the school's leaders accept that the proportion remains well above average. The school's records show that fewer students are late to school.

Attitudes to learning remain variable, but there are signs of overall improvements. Students are happier in their lessons because they feel clearer about teachers' expectations. Most students display positive attitudes to work, offer ideas readily and respond well to the tasks that they are set; however, a few work well only when under close supervision and lack self-motivation. Where learning is more effective, teachers display enthusiasm for their subject, develop positive relationships with students and stimulate students' interests through well-focused activities. Where tasks are mundane, the pace of learning drops.

Behaviour has improved both in lessons and around the school. A small minority of students continue to exhibit challenging behaviour, but teachers' skills in class management have developed so that confrontations are avoided and the impact of misbehaviour is minimised. Improved behaviour has had a positive impact on students' learning: fewer lessons are disrupted by unacceptable behaviour and parents and carers, teachers and students agree that the school is now a calmer place. The school's improved strategies for dealing with challenging behaviour contributed to a dramatic 44% drop in the number of exclusions in the period March to June 2010, compared with the same period in the previous year.

The monitoring visit found no evidence of weakness in the school's safeguarding processes.

The school's improvements have been underpinned by increased accountability among senior and middle leaders, the improved use of data to monitor students' progress, and more targeted support for students, including mentoring and one-to-one coaching. The school has a broadly accurate view of teaching and has records that show a small increase in the proportion of good or better lessons. The local authority statement of action fulfils requirements and provides a useful structure for the school's improvement planning. Support from the local authority and the National Challenge Adviser has been strong. The school's leaders have particularly valued the opportunity to make appointments with a focus on the areas where the

school needs to improve, such as additional staffing in core subjects and supporting attendance.

I hope that you have found the inspection helpful in promoting improvement in your school.

Yours sincerely

Paul Chambers
Her Majesty's Inspector

Annex

The areas for improvement identified during the inspection which took place in February 2010

- Raise attainment by ensuring that:
 - students make at least their expected progress in all subjects
 - students who start Year 7 below the expected level make good progress in improving their basic skills and levels of achievement at GCSE.
- Improve the attitudes to learning of a small minority of students by ensuring that:
 - expectations of acceptable behaviour are consistently high
 - teaching motivates and challenges students to achieve specific outcomes that help them meet their targets.
- Improve attendance and punctuality by:
 - reducing persistent absence
 - increasing the effectiveness of rewards for regular attendance
 - encouraging more support from parents and carers.

A collage of images showcasing the school environment. It includes several portraits of smiling students in blue school uniforms, a large photograph of a modern school building with a glass facade, and smaller images of students working on computers in a classroom or lab.

The Academy proposal for Macclesfield - a visionary way forward for Macclesfield students

“The vision for the proposed Academy in Macclesfield is to become an outstanding school in which every student is happy and strives to achieve his or her full potential. The Academy will deliver world-class learning in a supportive, safe and caring environment and will offer an exceptional educational opportunity for local young people.”



Wendy Wright OBE

Principal, Macclesfield College (Academy sponsor)





Why do things need to change?

The number of young people attending Macclesfield's four high schools is falling.
The highest proportion of surplus places is forecast to be at Macclesfield High School.

What is the proposal?

From 1st September 2011:

- ▶ Macclesfield High School is closed
- ▶ Replaced with 11-18 provision on the existing Learning Zone site will comprise an 11-16 Academy and LZ6 sixth form.

The new 600-place Academy would have a reduced intake of 120 students, providing an affordable, deliverable and sustainable solution to the problem of falling rolls.

The Academy would be sponsored and supported by Macclesfield College.



What is the vision of the Academy?

The Academy would become an outstanding school where every student is happy and strives to achieve his or her full potential.

The Academy would deliver world class learning in a structured, supportive, safe and caring environment where students, parents and staff work together to achieve success for all students whether gifted and talented, of average ability or overcoming learning difficulties.

Young people leaving the Academy will be equipped with the range of personal, social and learning skills needed to be successful in sixth form, Higher Education and skilled employment.

At the heart of the Learning Zone, the Academy will become the school of choice for parents in south Macclesfield.



What core values will the Academy have?

The Academy's ethos, rules and standards will be underpinned by core values such as:

Promoting and achieving excellence

- ▶ having the highest expectations of staff and students
- ▶ tackling average and poor performance

Learning is our first priority

- ▶ students' interests always come first
- ▶ staff tailor learning and support to meet individual students' needs
- ▶ a focus on quality learning and student achievement
- ▶ students accept responsibilities appropriate to their age and stage of development

Actively promoting equality and diversity

- ▶ always adopting an inclusive approach, challenging prejudice, stereotypes and unfair discrimination and valuing diversity

Maintaining high standards of ethics and behaviour

- ▶ always acting with integrity
- ▶ treating others with courtesy and respect, and behaving considerately
- ▶ listening to others' views
- ▶ challenging all inconsiderate or offensive language and/or behaviour

Encouraging innovation and development

- ▶ raising the aspirations of students and supporting them to achieve their potential
- ▶ investing in the professional development of staff
- ▶ celebrating achievement of students and staff

Acknowledging and using the power of positive thought

- ▶ refusing to tolerate negativism and cynicism

Working in partnership

- ▶ promoting effective teamwork within work teams, across the Academy and across the Macclesfield Learning Zone
- ▶ collaborating with partner primary schools, with partners in the Macclesfield Learning Zone and with other partners to benefit students, staff and the wider community
- ▶ working with our primary partners in the learning community to ensure excellent transition to the Academy from primary schools

What will Macclesfield College bring to the new Academy?



Macclesfield College is ideally placed to sponsor the Academy having:

- ▶ An outstanding track record of raising educational standards and the aspirations of young people
- ▶ An excellent reputation for delivering high-quality learning backed up by an 'Outstanding' rating in its most recent Ofsted inspection
- ▶ Beacon status - a Government mark of excellence, encouraging it to work with other educational institutions to help them raise their performance
- ▶ Existing close working relationships with Macclesfield High School and Park Lane School, and the opportunity to share facilities on the Learning Zone campus further to enhance efficiency and leave more money for teaching and learning
- ▶ Backing from Manchester Metropolitan University (MMU). Macclesfield College is an Associate College of MMU, and will benefit from their expertise to deliver high academic standards at the Academy
- ▶ Current national awards for Information, Advice and Guidance, and Training Quality.



An Associate College of





How will the change affect High School students?

There will be a smooth transition between the High School and the Academy:

- ▶ The delivery of education to students will not be interrupted
- ▶ All current students, together with students who have been offered and accepted places, would automatically be guaranteed a place at the Academy.

The curriculum would be enhanced:

- ▶ Academy students will follow a broad and balanced curriculum, participating in the same Key Stage 3 and GCSE examinations
- ▶ Students will benefit from new and engaging opportunities through the College's long-established partnerships with high-profile local business and Higher Education.

Students would be encouraged to achieve their full potential and aspirations would be raised:

- ▶ Further integration of the Learning Zone would provide clear progression routes from Year 7 through to Higher Education, apprenticeships and skilled employment on one modern, integrated 11 - 18 campus.



How will the change affect LZ6 and College students?

- ▶ There will be no interruption in the delivery of education to A-Level and Vocational students
- ▶ The unrivalled range of curriculum options for sixth formers within LZ6, the Learning Zone Sixth Form College, will be maintained.







Sponsor's contact details:

Macclesfield College, Macclesfield Learning Zone,

Park Lane, Macclesfield, SK11 8LF

01625 410000

www.macclesfield.ac.uk

Published: 03.12.10

I am a parent of a child currently in Year 7 at Macclesfield High School. I would like to express my support for the current proposal, ie: closure of the High School, conditional upon the establishment of an Academy. After attending several of the consultation sessions, I was very inspired by the vision the College have for the proposed Academy. The original proposal would have meant that Macclesfield High would have merged with Tytherington, the pupils would have lost their own identity and there was the potential for them/us situation, especially after how the Tytherington parents reacted to the original proposal. This proposal allows the pupils to continue at the same site without too much upheaval, although they will inherit a new name, the pupils will still keep their own identity. Hopefully they will all see this as a new start and strive to be the best school within Macclesfield! Many thanks.

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CHESHIRE EAST COUNCIL

REPORT TO: CABINET

Date of Meeting:	3 May 2011
Report of:	Strategic Director - PLACES
Subject/Title:	Neighbourhood Policing Service Level Agreement
Portfolio Holder:	Councillor Rachel Bailey

1.0 Report Summary

- 1.1 This report updates Cabinet on the development of a Neighbourhood Policing Service Level Agreement (SLA) with Cheshire Constabulary.

2.0 Decision Requested

- 2.1 Cabinet is requested to;
- 2.1.1 consider the comments of Scrutiny Committee as set out in Section 10.1 and
 - 2.1.2 approve a final Neighbourhood Policing Service Level Agreement for 2011-12.

3.0 Reasons for Recommendations

- 3.1 To take account of the views of the Scrutiny Committee and to continue to support the delivery of neighbourhood policing across the Borough

4.0 Wards Affected

- 4.1 All Wards

5.0 Local Ward Members

- 5.1 All Ward Members

6.0 Policy Implications including - Carbon reduction - Health

- 6.1 Safer communities and a reduction in the fear of crime will improve peoples' sense of wellbeing.

7.0 Financial Implications (Authorised by the Borough Treasurer)

- 7.1 The Council's contribution to neighbourhood policing as described in the Service Level Agreement is covered by the approved budget for 2011/12.

8.0 Legal Implications (Authorised by the Borough Solicitor)

- 8.1 The decision requested asks Cabinet to approve a Service Level Agreement.

9.0 Risk Management

- 9.1 Despite recent budget challenges and reductions in Central Government grants for all partner agencies, the Council has protected the financial support for neighbourhood policing across the Borough.

10.0 Background and Options

- 10.1 At the Sustainable Communities Scrutiny Committee meeting on 3rd March 2011, Members asked for an update on the draft SLA and the associated grant funding. The draft agreement was discussed at their meeting on 7th April 2011 and the following recommendations agreed for consideration by Cabinet.

That Cabinet;

Recommendation 1) to retain the three month termination clause

Proposed response: Agree

Recommendation 2) to replace 'the partner' with 'CEBC' throughout

Proposed response: Agreed and amended

Recommendation 3) to provide performance data to Scrutiny half-yearly

Proposed response: Agree

The SLA actually requires NPU level data each quarter and this will then be reported to Scrutiny Committee on a six-monthly basis

Recommendation 4) that at Section 2. 'Developing Neighbourhood Services', Scrutiny Committee asked that the words "***including PCSO's funded by the Council***" be inserted in the first bullet point.

*Proposed response: CEBC does not now specifically fund PCSO's and this new SLA seeks to fund Neighbourhood Policing in its broadest sense. The addition of such text would therefore contradict the basis of the whole agreement. It is suggested that if any text should be added, this should be; "***including Police Officers, PCSO's and other policing staff***"*

- 10.2 Cheshire East Borough Council is supportive of Cheshire Police Authority's direction for the police service as set out in their Policing Plan 2011-14.
- 10.3 This plan sets out the policing objectives for 2011/12 which have been agreed following extensive public consultation and taking full account of the priorities of the Home Secretary.
- 10.4 The Council is therefore targeting this funding at a local level to focus resources on neighbourhood policing to prevent and detect crimes that impact on communities. This SLA will help ensure a continued dedicated, consistent and visible policing presence in our area.
- 10.5 Accordingly, the SLA is focussed on the delivery of;
- Policing Objective 3: Maintain the trust and confidence of the public
- Policing Objective 4: Work with the public and our partners to reduce those crimes and acts of Anti-Social Behaviour which the public are concerned about.
- 10.6 Performance will be measured using the indicators set out in Appendix One of the SLA and to reduce unnecessary bureaucracy, these are the same measures which the police themselves will use to monitor improvement. This data will be available at the local Neighbourhood Policing Unit level for the Cheshire East Borough Council area.
- 10.7 Despite Central Government grant reductions, the Home Office have themselves provided funding for neighbourhood policing for the next two years. In February 2011, the Home Office finally announced grant funding for Crime and Disorder Reduction Partnerships for 2011/12. In any event, from April 2012, this fund will transfer to the new directly elected Police and Crime Commissioner who will then have full discretion over this funding to match their own accountability to local people.
- 10.8 Finally, like every public service, Cheshire Constabulary are required to make savings from 2011. To help achieve these efficiency savings, the Police have embarked on a 'Transforming Policing Programme', one aspect of which seeks to review operational policing.
- 10.9 This programme is firmly centred on neighbourhood policing and seeks to deliver a responsive, flexible and public-focused service.
- 10.10 This new SLA will support this transformational change by providing greater local freedom and flexibility to the Basic Command Unit, allowing innovation over how resources are deployed locally to best meet the broader outcomes of reducing the incidence and fear of crime and anti-social behaviour.

11.0 Access to Information

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

Name: Peter Hartwell

Designation: Head of Safer & Stronger Communities

Tel No: 01270 686639

Email: peter.hartwell@cheshireeast.gov.uk

Appendix A: Draft Service Level Agreement

Cheshire Constabulary

Partner Service Level Agreement

Cheshire East Borough Council

**“Working together to deliver Safer and Stronger Neighbourhoods where
people are safe, feel safe and act to help each other”**



**SERVICE LEVEL AGREEMENT FOR THE PROVISION OF £189,000 TO BE
USED DIRECTLY IN SUPPORT OF NEIGHBOURHOOD POLICING
WITHIN THE CHESHIRE EAST BOROUGH**

THIS AGREEMENT is made the ___ day of _____ 2011 between the
Cheshire Constabulary **(1)** of Cheshire Constabulary Headquarters,
Clemonds Hey, Oakmere Road, Winsford, Cheshire CW7 2UA (hereinafter
called “the Constabulary”) of the one part and Cheshire East Borough
Council, Middlewich Rd, Sandbach, Cheshire CW11 1HZ **(2)** of the other part.

WHEREAS:-

Cheshire East Borough Council wish to support and enhance the service
capacity of Cheshire Constabulary Neighbourhood Policing Teams, by
providing £189,000 of funds in direct support of Policing Neighbourhoods in
partnership. This agreement will directly contribute towards achieving the
policing objectives 3 and 4 as set out in the Policing plan 2011 – 2014.

NOW IT IS HEREBY AGREED AS FOLLOWS:-

1. Aim of this Agreement

The aim of this Agreement is to develop partnership working towards reducing
Crime & Disorder and increase the level of public confidence leading to a
greater level of reassurance through the provision of funding support to
Cheshire Neighbourhood Policing.

Funding under this agreement will only be utilised in the direct support of Neighbourhood Policing within Cheshire East.

2. Developing Neighbourhood Services

Neighbourhood policing is a way of working which allows the police, its partners and the public to work closely together to solve problems of crime and disorder, and improve feelings of security. The key elements being,

- The consistent presence of dedicated neighbourhood teams capable of working with the community to establish and maintain control – to be visible, accessible, skilled, knowledgeable and familiar to the community;
- Intelligence led identification of concerns from the community and the Safer Cheshire East Partnership, leading to prompt, effective, targeted action against those concerned
- Joint action and problem solving with the community and other local partners in order to improve the local environment and quality of life within the community.

Neighbourhood Policing is not simply about policing outcomes, it also aims to align local policing activity to a neighbourhood management and community agenda and toward a style and culture where neighbourhood specialists can directly impact upon confidence and satisfaction levels through effective problem solving, greater partnership working and through closer interaction and co-operation with local people.

The Constabulary will provide Quarterly Neighbourhood Policing Performance data to the partnerships through the local Task and Co- ordination groups or how otherwise identified. The specific measures are set out at **Appendix 1**, together with current baseline performance.

4. Role of Cheshire East Borough Council

Active engagement is required between Partner Agencies and the Constabulary through attendance at local tasking arrangements. Cheshire East Borough Council will contribute funding as identified earlier in this Agreement working together to ensure Neighbourhood Policing is focused and tasked with issues that are important to the local community.

Cheshire East Borough Council will be expected to recognise that there are wider resources available for local neighbourhood management.

5. Management of Finance

Cheshire East Borough Council will contribute the agreed sum per annum, 6 months in advance via cheque or BACS.

The Constabulary's Bank details for payments are: -

Cheques are to be made payable to Cheshire Police Authority.

Payment must be made within 30 days of receipt of invoice, and will be paid six monthly in advance. Failure to adhere to this will be considered a breach of this Agreement..

5. Exit strategy

The agreement between the Constabulary and the Cheshire East Borough Council may be terminated by either party giving 3 months notice.

The commencement date for the purposes of this Agreement will be the 1st April 2011.

6. Disrepute

In the event that the activities or behaviour of either partner bring or have the potential to bring either into disrepute, either party reserves the right to terminate this Agreement forthwith without further notice

7. Force Majeure

Neither party shall be liable in respect of any breach of this agreement due to any cause beyond its reasonable control including Act of God, inclement weather, flood, lightning or fire, the act or omission of Government, highway authorities or other competent authority, war or military operations.

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SIGNED on behalf of the Constabulary

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SIGNED on behalf of the Cheshire East Borough Council

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Date

Appendix 1***Policing Objective 3 – Maintain the trust and confidence of the public***

Measures	Current Performance	Why is this measure important to us?
% of users satisfied with the service received	91% (Oct 2009 – Sept 2010)	This measure assists the Constabulary in understanding the overall impact of the work it is doing to continually improve the level of service it provides.
Total number of complaints and the number of complaints upheld	497 Complaints received and 21 upheld (April – Nov 2010)	All complaints that are made against the Constabulary are investigated. When reporting on complaints we will ensure that information is made available on the type of complaint being made and whether it has been upheld.
% of respondents answering 'strongly agree' or 'tend to agree' when asked 'Taking everything into account I have confidence in the police in this area	68.2% (Oct 2009 – Sept 2010)	This measure has been taken from the British Crime Survey which is completed on a quarterly basis and will assist the force in understanding the level of confidence from the residents in Cheshire.

Policing Objective 4 – Work with the public and our partners to reduce those crimes and acts of anti-social behaviour which the public are concerned about

Measures	Current Performance	Why is this measure important to us?
Total number of recorded crimes NPU	48,762 (Apr – Dec 2010)	Monitoring the total number of recorded crimes helps to provide a high level indication of criminal activity within Cheshire.
Proportion of anti social behaviour incidents from a repeat caller	9% (Nov 2010)	The Constabulary are using a balanced set of measures to assess the impact of anti social behaviour, which the public continue to express as an on-going area of concern. In assessing this range of measures the Constabulary and Authority are able to understand the actual levels of anti social behaviour balanced against the perceived levels. In addition this helps us understand how well the public feel that incidents of anti social behaviour are being dealt with.
Proportion of anti social behaviour incidents from a repeat location	23% (Nov 2010)	
% of those surveyed who perceived high levels of anti social behaviour (British Crime Survey)	10.7% (Oct 2009 – Sept 2010)	
% of victims of anti social behaviour satisfied with the action taken in response to their incident. (Local satisfaction survey)	83.8% (Oct 2009 – Sept 2010)	
% of people who perceive that people using or dealing drugs are a	23.5% (Oct 2009 – Sept 2010)	This measure has been included as perception indicators can provide a better measure of the outcome of the

problem in their local area (British Crime Survey)		work we do throughout the year from a customer perspective.
Number of serious acquisitive crimes	7,246 (April 2010 – Dec 2010)	This measure includes those crimes often raised by the public as areas for concern such as burglary, robbery and vehicle crime
Number of violence with injury crimes	4,982 (April 2010 – Dec 2010)	This measure has been included to ensure that the Constabulary continues to monitor the potential impact that this has on communities within Cheshire, including specifically highlighting incidents of knife crime.

N.B. Current performance figures above are for the whole Cheshire Constabulary area and are correct as at Dec 2010. The final SLA will include the latest performance position as at March 2011 for the Cheshire East Borough Council area only.

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