

23rd March 2020

Agenda Item: 11

**REPORT OF THE SERVICE DIRECTOR, EDUCATION, LEARNING AND
SKILLS****MANNERS SUTTON PRIMARY SCHOOL, AVERHAM, NEWARK – PROPOSED
CONSULTATION REGARDING CLOSURE****Purpose of the Report**

1. This report seeks Committee approval to undertake an initial statutory consultation to explore options for Manners Sutton Primary School, Averham, Newark, including possible closure. Following the DfE statutory guidance, on opening and closing maintained schools and as a result of the Stage 1 consultation, a statutory proposal will be considered by Members.

Information

2. Manners Sutton is a small rural school which when last inspected by Ofsted in January 2018 was judged to be a Good school (<https://files.ofsted.gov.uk/v1/file/2752743>). In this Ofsted report, the Governing Body and the local authority were commended for the actions taken to secure the Good outcome and ensure that every child accessed a good standard of education.

Declining School Numbers

3. There are significant concerns about declining pupil numbers at Manners Sutton Primary School. Over the recent past, this small rural school has experienced a decline in numbers; at the time of inspection 31 pupils were on the school roll. In October 2019, only two pupils were in the school's Reception year, despite a Published Admission Number of 8.
4. The table below confirms the number of pupils attending the schools over the last four years on the census dates:

Jan 2017	May 2017	Oct 2017	Jan 2018	May 2018	Oct 2018	Jan 2019	May 2019	Oct 2019	Jan 2020
39	37	33	32	31	35	34	33	25	23

5. The school reports that as of 1st March 2020 there were 25 pupils on the school roll. An analysis of the breakdown of year groups within the school confirm that eight Year 6 pupils will be leaving the school at the end of July 2020 and based on local intelligence known to the school, only one new pupil is expected into Year R. The school and governors are aware that other parents are considering their options at this time given the declining roll of the school.

Statutory Process

6. According to Department for Education (DfE) Guidance 'Opening and closing maintained schools; Statutory guidance for proposers and decision-makers', November 2019, the Local Authority (LA) can undertake statutory consultation to consider the viability of a school and with a view to closure. This same guidance makes clear that there is a "presumption against the closure of rural schools" (DfE November 2019, page 17). The guidance also states however that this "doesn't mean that a rural school will never close, but that the case for closure should be strong and clearly in the best interests of educational provision in the area" (DfE November 2019, page 17).

Declining School Numbers

7. There are significant concerns about declining pupil numbers borne out by the most recent school census data. In October 2019, only two pupils were in the school's Reception year, despite a Published Admission Number of eight. As of the week of the 1 September 2020, no pupils were attending the school and no known pupils are projected to require a school place at this school in the short and medium term.

School Financial Position

8. The school has been facing financial challenges due to the carry forward of a £45,500 deficit from the 2018-19 financial year and a deficit recovery plan is in place. The financial position is improving although a small deficit is currently projected at the end of 2019-20. The school is currently projected to recover from the deficit in 2020-21 based on funding for 25 pupils.
9. Measures have already been taken to balance the budget including closing the school's nursery provision and reducing from two primary classes to one. However, projected falling pupil numbers in future years would see the school moving back into deficit necessitating measures that may include further reductions in staffing to a level which may not be acceptable.
10. The Children & Families finance team will be working with the school to construct a three year budget plan taking into account the projected fall in pupil numbers. Where a school has a deficit, the expectation is that it will be recouped from future funding allocations; the scope to address this would become increasingly difficult with projected reductions in funding.

Other local schools

11. The Newark Town planning area comprises a further nine primary schools. Of these, two (Christ Church C of E Infant and Holy Trinity Catholic Academy) are within a two mile radius. A further two schools (Lovers Lane Primary and William Gladstone C of E Primary) are

within 2.4 miles. All four of these schools are projected to have surplus places now and in five years' time. Four children living in the catchment of St Peter's Crosskeys Primary, which is within a two mile radius of Averham Manners Sutton, attend the school.

12. As of January 2019 there were 30 primary aged pupils resident in the catchment; eight pupils (27%) attend the school, 73% of the catchment area pupils attend other schools. In January 2019 there were 32 children on roll. Eight were from the catchment area and seven were from the planning area (Newark Town) the remaining 17 were drawn chiefly from the Newark District. Averham Manners Sutton Primary School is heavily reliant on out of catchment recruitment.

Closing an LA maintained school - rationale

13. According to the DfE Guidance, the LA can decide to close a maintained school, as a result of its own proposal. Two of the suggested reasons for a school closure may apply in the case of Manners Sutton, i.e.
 - there are surplus places elsewhere in the local area which can accommodate displaced pupils and there is no predicted demand for the school in the medium to long term; and
 - it is no longer considered viable.
14. The guidance summarises the statutory processes to close a school, with additional advice provided in relation to the closure of a rural school where the local authority is required to consult with the following:
 - the County Council
 - the parents of registered pupils at the school
 - the local district and parish council
 - the governing body (as appropriate)
 - pupils at the school
 - teachers and other staff at the school
 - the governing bodies, teachers and other staff of any other school that may be affected
 - parents of any pupils at other schools who may be affected by the proposal
 - any trade unions who represent staff at the school; and representatives of any trade union of staff at other schools who may be affected by the proposal
 - MPs whose constituencies include the school that is the subject of the proposal or whose constituents are likely to be affected by the proposal; and
 - any other interested organisation / person that the proposer thinks are appropriate.
15. The DfE expects all decision-makers to adopt a presumption *against* the closure of rural schools and must explore alternatives to closure including:
 - the likely effect of the closure of the school on the community
 - the proportion of pupils attending the school from within the local community i.e. is the school being used by the local community
 - educational standards at the school and the likely effect on standards at neighbouring schools
 - the availability, and likely cost to the LA of transport to other schools

- whether the school is now surplus to requirements (e.g. because there are surplus places elsewhere in the local area which can accommodate displaced pupils, and there is no predicted demand for the school in the medium or long term)
 - any increase in the use of motor vehicles which is likely to result from the closure of the school, and the likely effects of any such increase; and
 - any alternatives to the closure of the school (DfE November 2019, page 32).
16. The possibility of using the primary school site as a future special school would form part of the consultation. This would require the Council to run an academy presumption to identify a sponsor to run the special school.

Other Options Considered

17. The initial consultation will include the exploration of other options including possible federation with another maintained rural school.

Reason for Recommendation

18. The Local Authority is unable to financially support its schools which are required to provide high quality education within the allocated schools budget. There are currently no pupils on roll at this school and no known pupils projected to require future places. The lack of pupils is impacting on Averham Manners Sutton Primary school's ability to set a balanced budget in the future, it is necessary to consult on possible closure of the school.

Statutory and Policy Implications

19. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

20. Where a school reports a deficit the Children & Families finance team work with the school to develop a three year deficit recovery plan. The expectation is that the deficit will be recovered from future years funding and efficiencies where necessary. The scope for the deficit to be addressed would be an increasing challenge where there is a projected ongoing reduction in pupil numbers and consequently funding.
21. The Local Authority Scheme for Financing Schools stipulates that the local authority cannot write off the deficit balance of any school. Any financial support should be from the overall schools budget from a contingency specifically held for this purpose and agreed by the Schools Forum. Currently no such contingency has been agreed with the Schools Forum and if one is created this could reduce resources available to other schools.

22. It is anticipated that there will not be any costs for the consultation but if there are they will be minimal and contained within the service's allocated budget and centrally via the Council's Communications team.

Human Resources Implications

23. The following posts will potentially be impacted by the proposed closure:
- Assistant Head Teacher x1
 - Administrator x1
 - Teaching Assistant x2
 - Mid-day Supervisor x 1
 - Supply Support Assistant x1
24. Work will be undertaken with the Governing Body to address the various contractual issues which will arise if the school closes using the existing agreed policies and procedures around redundancy and redeployment with appropriate consultation and involving the recognised trade unions.

RECOMMENDATION/S

- 1) That Committee approval is given to undertake statutory consultation to explore options for Manner Sutton Primary School, Averham, Newark, including possible closure.

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Constitutional Comments (KK 10/03/20)

25. The proposal in this report is within the remit of the Children and Young People's Committee.

Financial Comments (SAS 11/03/20)

26. Where a school reports a deficit the Children & Families finance team work with the school to develop a three year deficit recovery plan. The expectation is that the deficit will be recovered from future years funding and efficiencies where necessary. The scope for the deficit to be addressed would be an increasing challenge where there is a projected ongoing reduction in pupil numbers and consequently funding.
27. The Local Authority Scheme for Financing Schools stipulates that the local authority cannot write off the deficit balance of any school. Any financial support should be from the overall schools budget from a contingency specifically held for this purpose and agreed by the

Schools Forum. Currently no such contingency has been agreed with the Schools Forum and if one is created this could reduce resources available to other schools.

28. It is anticipated that there will not be any costs for the consultation but if there are they will be minimal and contained within the service's allocated budget and centrally via the Council's Communications team.

Human Resources Comments (GME 11/03/20)

29. The governors of Manners Sutton Primary School will be supported by officers of the Council to ensure that decisions about staffing in the school are made in accordance with employment law and the agreed policies and procedures adopted by the school.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Department for Education (DfE) Guidance 'Opening and closing maintained schools; Statutory guidance for proposers and decision-makers', November 2019

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/851585/Opening_and_closing_maintained_schools1012.pdf

Electoral Division(s) and Member(s) Affected

All.

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