

WIRRAL COUNCIL

CABINET

13th July 2015

SUBJECT:	OUTCOME OF REPRESENTATION PERIOD ON PROPOSAL TO AMALGAMATE PENSBY HIGH SCHOOL FOR BOYS AND PENSBY HIGH SCHOOL FOR GIRLS
WARD/S AFFECTED:	All
REPORT OF:	Director of Childrens Services
RESPONSIBLE PORTFOLIO HOLDER:	Councillor Tony Smith
KEY DECISION?	Yes

1.0 EXECUTIVE SUMMARY

1.1 This report advises the Cabinet of the outcomes of the representation period which has taken place in regard to the proposals for the amalgamation of Pensby High School for Boys and Pensby High School for Girls, as agreed for publication at Cabinet on 25th March 2015. This report describes the outcome of the representation period, and recommends that the statutory proposals be approved.

2.0 BACKGROUND AND KEY ISSUES

- 2.1 In May 2010, the two Pensby secondary schools entered into a hard Federation, enabling the two schools to work together more closely under a single governing body led by a single headteacher, building on the existing joint sixth form arrangements, helping to safeguard viable secondary education for both girls and boys in Pensby as rolls fall in forthcoming years.
- 2.2 In Autumn 2014, the governing body of the Pensby High Schools federation approached the Council to begin a formal consultation on the amalgamation of the two schools to form a single establishment.
- 2.3 On 6th November 2014, Cabinet approved a six week public consultation be held on the proposed amalgamation of Pensby High School for Boys and Pensby High School for Girls, through closure of Pensby High School for Boys, and changing the gender intake of Pensby High School for Girls to form a mixed sex secondary school in Pensby.
- 2.4 The outcome of the consultation was reported to Cabinet on 25th March 2015. Cabinet approved the next stage of the statutory process, which is for a statutory notice to be published, followed by a four week representation period. This report gives the outcome of the representation period and recommends that the proposals be approved.

3.0 Statutory notice and proposals

- 3.1 In accordance with the statutory guidance, the statutory notice (Appendix 1) and statutory proposal (Appendix 2) were published on 23rd May 2015. The process allows a four week period for representations to be made on the proposals, during which time any person may make comments or objections on the proposals.
- 3.2 In the original Spring consultation, 40 of the 47 respondents to the consultation were in favour of the amalgamation. This high degree of support for the proposals may explain why no comments or objections on the proposals have been received during the subsequent four week representation period.
- 3.3 The Council is the decision maker in respect of the published proposals. The proposals can be approved, rejected, approved with modification or approved subject to meeting specific condition(s). The statutory guidance is attached as Appendix 3. This report recommends that Cabinet approves the proposals, as published.
- 3.4 This report and the appendices set out all the relevant information that should be considered in making a decision on the proposals to amalgamate the two schools. An Equalities Impact Assessment is available on-line.

4.0 Decision Makers Guidance

- 4.1 The Decision Makers Guidance at Appendix 3 requires Cabinet as the decision-maker to have regard to a number of factors where relevant. The paragraphs below address the relevant sections in the statutory guidance that apply to the published proposals which could be grounds to reject the proposal.

The consultation and statutory process

- 4.2 A public consultation on the proposal to close Pensby High School for Boys and to change the gender intake at Pensby High School for Girls ran in January and February 2015. The consultation process included parents/carers, teachers and governors of the two schools, all Wirral head teachers and governing bodies, along with Trade Unions, Wirral MPs and councillors, neighbouring authorities, Diocesan bodies, Council departments and other interested persons. The consultation was published on the Council's website for residents to gain access, and a public meeting was held.
- 4.3 The statutory notice was published on 23rd May 2015. The representation period ran for the required 4 weeks and the published Statutory Notice (Appendix 1) and Statutory Proposal (Appendix 2) contained all the required information. The notice was sent to all statutory consultees, and was published on the gates and entrances of the two schools, at local primary schools and other local amenities, as well as in a local newspaper and on the Council's consultation website. Any person may request a copy of the full proposal (which was available on-line), but no requests for a copy were received.
- 4.4 The consultation, statutory notice, proposal and representation period meet the statutory requirements. This is not grounds to reject the proposal.

Considering views expressed during the Consultation

- 4.5 The responses received during the consultation were analysed and reported to Cabinet on 25th March 2015.

- 4.6 The views expressed in the consultation period have been taken into account. This is not grounds to reject the proposal.

Education standards and diversity of schools

- 4.7 Ofsted last inspected Pensby High School for Girls in October 2013, where it was found to be a good school overall, with various areas identified for improvement, including the sixth form provision and certain elements of lesson planning.

Ofsted last inspected Pensby High School for Boys in October 2014, where it was found to require improvement. The Ofsted report also recognised that the school was improving in terms of its vision for standards and attendance.

The Ofsted inspection reports for both schools and the most recent monitoring letter for the Boys school is available online at reports.ofsted.gov.uk

- 4.8 There is a presumption in the decision maker's guidance that proposals involving the closure of schools causing concern should be approved, provided there are suitable accessible places for the displaced children. There is also a presumption that proposals which expand provision in popular and successful schools should be approved.
- 4.9 The intention of the amalgamation is to take the best practice from the two predecessor schools and to build on it to improve standards and raise ambition and aspiration. This was supported by the views of the majority of respondents to the original consultation. The amalgamation of the two schools also provides that both boys and girls living in the local area will have a local school for the future.
- 4.10 Should the decision be taken to approve the proposals, there remain other alternative single sex, non-grammar schools within Wirral; Weatherhead High School and Mosslands School in Wallasey, Prenton High School and Birkenhead High School Academy in Birkenhead. This is not grounds to reject the proposal.

Viability and cost effectiveness

- 4.11 The principle way in which schools are funded is on the number of pupils on roll. Salaries and associated staff costs make up the largest proportion of the overall budget of any school. As the number of pupils on roll falls, the budget falls accordingly and the governing body of the schools need to make difficult decisions in order to balance the budget and it becomes increasingly difficult to provide a broad and balanced curriculum with appropriate staffing. The Federation was established in 2010 in order to assist with the financial issue by allowing staff to be employed across the two federated schools under a single structure, and Pensby High Schools Federation set a balanced budget for 2014/15, however this has only been possible by the use of reserves totalling £350,000.
- 4.12 By the end of 2016-2017 there may be a deficit in excess of £1.5 million in total. This is the result of a number of factors – falling rolls, a small sixth form with reduced funding levels from previous years, flat budgets with no inflationary increases, and high staff costs.

The allocation of places for Year 7 in September 2015 has now taken place. The individual intake for the separate schools remains low, although higher than in the last two years. There is no indication that the proposed amalgamation has deterred parents from accepting places at the schools.

Year of entry	Pensby Boys	Pensby Girls	Total
2015	71*	94*	165*
2014	45	65	110
2013	57	83	140
2012	82	100	182
2011	50	111	161

Year 7 intake at Pensby Boys and Pensby Girls, last 5 years. * Based on allocation for September 2015, correct as at 17th June 2015. Other years data taken from the January School Census.

The proposed amalgamation would not by itself directly resolve the existing Federation's financial issues, however as a single school with a single budget, there is far more opportunity for the governing body to reduce duplication and create efficiencies in many areas, and to put into place the appropriate number of staff to operate the new fully merged teaching timetable.

- 4.13 The school also intends to occupy the Girls building and a small part only of the Boys building, which will reduce the overall costs to the school budget for cleaning, caretaking, heating and lighting etc.
- 4.14 The issues around viability and cost effectiveness are not grounds to reject the proposal.

Equality duty and Community cohesion

- 4.15 An equality impact assessment has been completed and is available on the Council's website. All community use, for example of the sports facilities, will be maintained in the amalgamated school. The school will also investigate whether enhanced community access can be offered to the portion of the Boys building that is no longer in use by the school. This is not grounds to reject the proposal.

Travel arrangements

- 4.16 All pupils currently on roll at both schools will transfer automatically to the mixed school as at 1st September. Whilst some parents may wish to transfer to an alternative school, the impact on home to school travel is expected to be minimal. This is not grounds to reject the proposal.

Land and buildings

- 4.17 The governing body indicate that they intend to relocate all classes currently situated in the Boys building, into the Girls building, from September 2015, with the exception of the music and drama facilities which will remain in the Boys building. The school will also retain the joint Sports Hall and the entire playing field. There are no plans to release any part of the site. This is not grounds to reject the proposal.

School Capacity

- 4.18 The proposals retain a secondary school in the Pensby area which has sufficient capacity for all current and projected future pupils. This is not grounds to reject the proposal.

4.19 Other factors to be considered by decision makers

Guidance points not already covered elsewhere in this report include:

- Admission arrangements

The admission policy of the mixed sex school will follow the Wirral policy for community secondary schools, and will comply with the Admissions Code, the Wirral Co-ordinated Scheme and all associated guidance. The admission number of the school would be reduced from 300 (both schools together), to 150 initially.

- National Curriculum

As a community school, the mixed sex school will follow the National Curriculum

- Capital – see 10.0 below.
- Rural schools – The Pensby schools are not defined as rural schools. This guidance point does not apply.
- Early Years and Nursery schools – There is no Early Years provision that would be affected. These guidance points do not apply.
- Balance of denominational provision – The mixed school will remain a community school if the proposal is approved.

5.0 RELEVANT RISKS

5.1 Should the two schools remain separate within the Federation, both will be subject to a budget in line with the number of pupils on roll. This is likely to have an impact on teaching and standards, and may result in the closure of one or both schools.

5.2 If Cabinet do not make a decision on the proposals, the decision will pass to the Schools Adjudicator. This would add significant delay and would mean that the proposals could not be implemented for 1st September 2015.

6.0 OTHER OPTIONS CONSIDERED

6.1 None.

7.0 CONSULTATION

7.1 Consultation has taken place in accordance with statutory guidance (see section 4.2).

7.2 The statutory notice and proposal was followed by a four week representation period (see section 3.1), which is reported here to Cabinet as the decision maker.

8.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS

8.1 None.

9.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

9.1 None.

10.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

10.1 If this proposal is approved, there is likely to be a requirement for the allocation of local capital in order to facilitate the transition to a single school. However, the

proposal to amalgamate the two schools does not rely on the availability of capital in order to proceed.

- 10.2 The redistribution of funding released by school reorganisation goes towards raising aspirations and narrowing the attainment gap for vulnerable groups.
- 10.3 Any capital works will be subject to the appropriate relevant national and local planning legislation.
- 10.4 An amalgamated school is likely to require a new staffing structure for the existing staff. There is therefore potential for future school redundancy costs.
- 10.5 There are no savings for the Council from the proposal. Amalgamation would eventually return the closed school Lump Sum of £100,000 into the Dedicated Schools Grant (DSG) for re-distribution to all schools through the budget formula (2014-2015 figures). Under the new School Funding Guidance for 2015-16, an amalgamating school is entitled to receive 85% of the two Lump Sums in the first year (£170,000 total lump sum). The document now makes provision for this to be extended to 2 years if the LA applies for this exceptional factor.

11.0 LEGAL IMPLICATIONS

- 11.1 The consultation, statutory notice, proposal document and representation period comply with all statutory guidance.

12.0 EQUALITIES IMPLICATIONS

- 12.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(a) Yes and impact review can be found via the following link:

<https://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-april-2014/eias-families-wellbeing>

13.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS

- 13.1 None.

14.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

- 14.1 None.

15.0 RECOMMENDATION/S

- 15.1 That the following linked proposals be approved:
 - 1) The closure of Pensby High School for Boys from 31st August 2015
 - 2) A prescribed alteration to the gender intake of Pensby High School for Girls from 1st September 2015.
 - 3) That the Director of Children's Services be authorised to take all necessary steps to implement these proposals and ensure the prescribed procedures are followed in furtherance of the proposals.

16.0 REASON/S FOR RECOMMENDATION/S

16.1 No one closes schools lightly. Officers are required to offer clear advice as to appropriate action in order to spend public money wisely and ensure all Wirral's children benefit equitably from the funding available. The recommendations will ensure best value for the future generations of children in this area of Wirral, and more equitable spending for the benefit of all Wirral's pupils, from the savings made.

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APPENDICES

Appendix 1 – Statutory Notice

Appendix 2 – Statutory Proposal document

Appendix 3 – Decision Makers guidance

BACKGROUND PAPERS/REFERENCE MATERIAL

School Organisation – Maintained Schools – Guidance for Decision Makers
Ofsted inspection reports on Pensby High School for Boys and Pensby High School for Girls

BRIEFING NOTES HISTORY

Briefing Note	Date

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Cabinet	25 th March 2015
Cabinet	6 th November 2014