

# WIRRAL COUNCIL

CABINET - 1<sup>st</sup> OCTOBER 2009

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## REVIEW OF PRIMARY SCHOOL PLACES: OUTCOME OF CONSULTATIONS ON OPTIONS PUT FORWARD FOR THE PHASE 5 PLANNING AREAS AND COMMENCEMENT OF PHASE 6

### Executive Summary

- 1.0 This report advises the Cabinet of the outcomes of the consultation process which has taken place in the North Birkenhead planning area, in respect of the options for consultation agreed at Cabinet on 28<sup>th</sup> May 2009. This report describes the responses to the various options put forward for discussion, including additional suggestions put forward during the consultation process, and makes recommendations with regard to statutory proposals in this area. The report also introduces the beginning of Phase 6 of the Review and asks for approval of an amendment to this phase.

### Background

#### 2.0 Context Of The School Organisation Plan

Until March 2005, School Organisation Committees (SOC) were required by law to have regard to the School Organisation Plan (SOP) when considering statutory proposals for changes to schools' provision. The plan itself was approved on a regular basis by the SOC. However the SOP was one of seven statutory plans repealed by the Children Act 2004. The SOC itself has now been abolished by the Education and Inspections Act 2006 with effect from 25<sup>th</sup> May 2007. Nevertheless the policies and principles set out in the SOP remain an important context in which the Wirral Primary Review was set, and continue to be key guidance for the consideration of statutory proposals.

#### 2.1. DCSF guidance on the School Organisation Plan states that

"The key purpose of the School Organisation Plan is to set out clearly how the Local Education Authority (LEA) plans to meet its statutory responsibility to secure sufficient education provision within its area in order to promote higher standards of attainment. It should be designed to help the key stakeholders – LEA, schools, promoters, parents and local communities, understand what school places are needed at present and in future, and how they are provided. Importantly it will be the starting point... in considering statutory proposals for changes to schools".

- 2.2 As indicated above, the plan contains the policies and principles proposed by the LA and agreed by the former SOC for the planning of school provision. These policies and principles are set out at Appendix 1 to the report. It will be seen that the intention (prior to the abolition of the requirement to consider the plan) was that any proposal should be considered within the context of the principles set out in paragraphs 3 to 5 of the Policies and Principles. There is an over-riding requirement that overall provision is effective and efficient, i.e. that there should be an appropriate balance between school places and the following principles/criteria:

- parental preference
- delivering the curriculum
- meeting statutory and desirable goals on class sizes
- maintaining or promoting diversity
- SEN
- standards

- accessibility
- (secondary schools only) post 16 provision
- contribution to the community.

Paragraph 4 of the Policies and Principles adds the issue of overall school size within the primary sector and paragraph 5 deals specifically with the objectives of the Diocesan authorities.

### 2.3 View of the Wirral Schools Forum

Members should note that in June 2005 the Schools Forum passed the following resolution:

“Resolved - That Wirral Schools Forum recognises that the local education authority has a duty to maintain and fund schools in an efficient and effective manner. This implies that the number of schools should reflect the pupil population and the needs of Wirral communities, which could mean the amalgamation or closure of schools for the efficiency and effectiveness of the service.”

2.4 Following the presentation of the Review of Primary School Places report on 16<sup>th</sup> October 2008, Cabinet instructed that six Area Reviews be carried out within Phase 5 of the Primary Places Review: Prenton, Beechwood, North Birkenhead, Central Birkenhead, South Birkenhead and Noctorum. These areas equate to the small planning areas in the Authority’s School Organisation Plan. The outcomes of these area reviews were reported to Cabinet on 28<sup>th</sup> May 2009 and a copy of this report is attached as Appendix 2.

2.5 Following consideration of that report, Cabinet agreed that no options would be brought forward for the Prenton, Beechwood, Central Birkenhead, South Birkenhead and Noctorum small planning areas at this time, although numbers and place provision would be kept under review. A number of options for consultation were proposed in respect of the North Birkenhead area.

2.6 In relation to community school provision, the options were:

- A1 Closure of Cathcart Street Primary School
- A2 Closure of Cole Street Primary School
- A3 Amalgamation of Cathcart Street Primary School and Cole Street Primary School at either an existing or a new site.

In relation to Aided school provision the following option was suggested:

- B Closure of St Laurence’s Catholic Primary School

These options were approved for consultation.

2.7 The options were within the context set out by the Director of Children’s Services, of the need to reduce the growing number of primary school surplus places and took account of Audit Commission guidance on surplus places against a continuing fall in the number of primary age pupils, and issues identified in the recent Joint Area Review. In addition to removing unnecessary surplus places, the options were intended to make more effective use of resources, take account of patterns of parental preference, reflect the additional challenges of maintaining small schools in an urban area and contribute to the wider standards agenda through the more efficient use of resources.

2.8 In order for all stakeholders to have access to relevant background information and have the opportunity to comment and respond, the following methods of consultation have been employed :

- a) A range of documentation has been produced and distributed. This comprised:
  - (i) the full consultation document sent to all schools in the North Birkenhead area; St Werburgh's Catholic Primary School in the South Birkenhead planning area; Birkenhead High School for Girls (Junior Division); local One-Stop shops, Bidston and St James library and the Central Libraries; Wallasey Town Hall and relevant community centres;
  - (ii) a review pack comprising all the relevant background information sent to all the locations in (i) above;
  - (iii) parents'/carers' consultation leaflets and comments forms to all parents/carers, via the three schools named in the options;
  - (iv) standard letters to all the schools in the small planning area, one format for schools named in the options and one for other schools in the small planning area and for parents of pupils at St Werburgh's Catholic Primary School and Birkenhead High School for Girls (Junior Division).
- b) A dedicated web-site on the Wirral Learning Grid was established and advertised on the council web-site, the council Intranet, and in the parents' consultation leaflets and the standard letters to schools. This site provided access to all the information produced in paper form and allowed e-mail responses to a dedicated e-mail address.
- c) Meetings were arranged for all interested stakeholders at each of the schools named in options for closure or amalgamation. These meetings followed the same format, with a presentation on the overall position and the school specific position followed by around ninety minutes of time for audience comments, feedback and questions. The meetings were attended by parents, carers, staff, governors, Ward members and various other interested persons and bodies, including Diocesan representatives where appropriate. Each meeting was chaired by the Cabinet member for Children's Services and Lifelong Learning. The dates for the meetings were in the parents' leaflets and on the specific web-site and a general notice was published in the local press.
- d) Opportunities have been provided for other means of response. Submissions have been received in paper and e-mail formats – all of which will be made available before and at the Cabinet meeting, in addition to the summaries contained in this report.
- e) All of the relevant LA documentation produced for the consultation has been shared with the Diocesan Bodies.

2.9 The importance of eliciting the views of pupils is sometimes raised and this is an issue which is taken very seriously. We are sensitive to the fact that school re-organisation is by its nature upsetting and potentially stressful, particularly for children. Throughout the review, discussions with headteachers have taken place as to whether pupils should be formally consulted, and if so, how this could be carried out with minimum impact. The professional opinion of headteachers involved in this Phase of the Review was that any formal consultation would be unnecessarily distressing to children, nevertheless, the consultation may include responses received from individual children.

2.10 The consultation process and the presentation of LA, small planning area and school data to this wider audience does appear to have persuaded most people of the need to reduce the number of school places, though understandably people wish to advocate the case for their school in respect of closure or amalgamation options.

2.11 In addition to the detail set out below, further records of views put forward during the consultation period are attached as Appendix 3. Feedback is set out school by

school. The record for each school brings together the responses from the meeting held at the school, together with any points raised in written or e-mail submissions to the Authority.

### **Outcome of the Consultation**

3.0 Further suggestions in relation to primary school provision in the North Birkenhead area were made as part of the consultation process:

- Reduce the size of St Laurence's Catholic Primary School and use the surplus space for other purposes
- Amalgamate Cathcart Street Primary and The Priory CE (Aided) Primary

Further discussion of these suggestions is given with the related consultation options below.

3.1 There were several key themes in the combined responses from consultees:

- General understanding of the falling rolls situation
- Effect of proposed housing and demographic changes on pupil numbers
- Respect for school staff in their skills and relationships with pupils and parents
- Educational standards and quality of provision
- Concern for the fate of closed buildings and sites
- Travel distance to school and the effect on traffic and road safety
- Disruption to pupils' education and confidence
- Class sizes
- Importance of small schools
- Effect of any change on children with special educational needs
- Importance of out of hours facilities, such as adult learning and breakfast clubs
- Importance of early years provision, including day care facilities
- Relationship between school and community
- Keeping friends and siblings together
- Staff redeployment
- Continuity of school over several generations.

### **3.2 Responses from the Anglican and Roman Catholic Diocese**

The Diocese of Chester and the Diocese of Shrewsbury are key partners along with the LA in making provision for the education of children in Wirral. Both Diocesan Authorities were provided with the consultation documentation with an opportunity to respond.

### **3.3 Views of the Catholic Diocese of Shrewsbury**

The consultation response from the Diocese of Shrewsbury is attached as Appendix 4.

The Diocese recognise that numbers on roll at St Laurence's are low, and that the Council must consider reductions in surplus places. Their response emphasises the good standards achieved by St Laurence's in an area of social deprivation and asks that this, and the presence of community facilities such as the Children Centre satellite be taken into account before any decision is made.

Finally, the Diocese asks for confirmation that the Authority intends to liaise, along with the governing bodies of St Werburgh's and Our Lady and St Edward's Catholic Primary Schools in order to provide a place at one of these two schools for any former St Laurence's parent who wishes to transfer in the event of the closure of St Laurence's. This may include additional accommodation. The Diocese believes that August 2010 would be the most appropriate date for any proposed closure.

### **Role of the Diocesan bodies in school re-organisation**

- 3.4 Until the SOC's abolition on 25<sup>th</sup> May 2007, each Diocese was represented by a voting group on the SOC. Under the new guidance on school re-organisation proposals, each Diocese has the ability to object to any statutory proposal decided by the Local Authority Decision Maker, thereby referring the proposal to the School's Adjudicator. This is not a significantly different position to their former roles on the SOC. Full guidance has now issued by the DCSF and is available to read or download on-line at <http://www.DCSF.gov.uk/schoolorg/index.cfm> Key points of the guidance and a commentary in relation to Phase 5 options for North Birkenhead is included within the report at Appendix 5.

### **Commentary on small schools**

- 3.5 The Authority funds its schools through the operation of its local funding formula. The formula is designed so as to ensure that sufficient resources are made available to schools for the pupils they have to teach. The formula ensures that, however small a school, it will have sufficient resources. One would not therefore expect any school, simply through smallness, to become financially unviable. What does happen is that small schools draw in a greater share of the resource per pupil from the total available for distributing among all schools.

Since the total sum available for spending on all our children does not increase if we choose as an Authority to organise our children in more schools than is necessary for the efficient and effective delivery of education, it follows that the maintenance of small schools, where this is not necessary, comes at the expense of all other children.

The key questions therefore in terms of use of resources are:

- i) How small does a school need to be within the context of Wirral before it would be considered as contributing to an ineffective use of resource?
  - ii) Are there reasons in specific cases why individual schools although "small" by Wirral standards should continue to be maintained even though they are relatively expensive?
- 3.6 With regard to Wirral's policy on small schools, the School Organisation Plan (agreed in 2003) contained the proposal that the LA "should consider the implications of an increasing number of primary schools with less than one form of entry – 30 pupils and therefore primary schools with fewer than 210 pupils i.e. 7 x 30". That review was carried out in great detail and with the involvement of a wide range of Headteachers, and culminated in the policy document "The Pursuit of Excellence", extracts of which are included in Appendix 7. This policy adopted in 2004 suggests that a school should have at least 180 pupils in order to be viable. The guidance to Decision Makers (Appendix 5a) makes no mention of school size. DCSF guidance says that "Schools with fewer than 150 pupils may be educationally and financially sustainable only through substantial subsidies via their local authorities funding formula" :

[www.teachernet.gov.uk/management/fallingschoolrolls/schools/educational\\_decisions](http://www.teachernet.gov.uk/management/fallingschoolrolls/schools/educational_decisions)

One problematic issue which is discussed in some detail in Appendix 7 is the potential difficulty of mixed age teaching, especially across key stages.

3.7 With regard to organisational viability there can be no question that small schools face greater challenges. This of course does not mean that at any one time a particular small school cannot produce excellence through having outstanding teachers. Furthermore it is often the case when small schools are considered nationally that many small schools enjoy a number of advantages as a result of their location and are attractive to staff. In many parts of the country it is a clear necessity to maintain small schools because the alternative would be that children be transported, perhaps for a number of miles, to the nearest school. Authorities who have such schools receive additional sparsity funding from the government which enables them to spend more on these schools without it being at the expense of others, in order for them to be organisationally viable. Wirral does not receive this element of grant.

3.8 Our experience in Wirral, has been that while overall until quite recently we have had few primary schools that have fallen into one of the Ofsted categories of concern, those that have done so have generally been among our smaller schools. We do not believe that this is coincidence: it arises because of the inevitable requirement on individual staff in small schools to take on wider burdens of responsibility and from the disproportionate impact which one weaker member of staff will have on the school as a whole.

#### 4.0 **Commentary on options**

The next section of the report comments on the agreed options, discussing individual schools separately where appropriate. Numbers on roll are from the January 2008 School Census.

##### **A1 Closure of Cathcart Street Primary School**

4.1 Cathcart Street Primary is a small school with 101 pupils on roll, about half the number on roll just 10 years ago (205). This is largely the result of the falling population, although 59% of potential community school parents living in the catchment zone choose to send their children elsewhere, principally to The Priory CE Primary School (34%, 45 pupils). Set against this “outflow”, 52% of pupils on roll in Summer 2008 came from outside the school’s catchment zone, however overall there was a small net loss to other community/CE primary schools of 12% (16 pupils). There are a large number of surplus places (52%, 109). This is predicted to rise to 53% (112 places) by 2014. In 2006-2007, expenditure per pupil was £5,089 compared with the Wirral average of £3,249.

4.2 The contextual value added score (99.9) for Key Stage 2 in 2008 shows that pupils at Cathcart Street Primary School are making progress in line with similar pupils in other schools (see Appendix 6).

4.3 All current and projected pupils from Cathcart Street Primary could be accommodated at primary schools within a reasonable distance without requiring any new build classroom provision, dependant on a particular pattern of parental preference. As stated in 4.1 above, large numbers of parents living within Cathcart Street’s zone choose The Priory CE Primary School, and there are 28 alternative primary schools within a 2 mile radius of the school. The catchment zone of Cathcart Street Primary School would be allocated to Cole Street Primary School. Parents currently in-zone for Cole Street Primary would continue to be in-zone and would be unaffected by this change.

4.4 Respondents from Cathcart Street Primary raised the school’s excellent attainment record, and the quality of the relationships between parents, pupils and staff. There were concerns that children would not “fit in” at other local schools, disruption to children’s education, about additional expense in purchasing new uniforms and the impact on travel and transport.

- 4.5 The quality of the site, the security of the location and its green environment were strongly featured. Respondents believed that Cathcart Street has scope for expansion and redevelopment if chosen as the site for a combined school, possibly incorporating a Children's Centre and other extended services. The proximity of the site to the Wirral Waters development was also raised.
- 4.6 The on-site "CATS" club, which provides before and after school care, as well as holiday clubs, was highly regarded. Respondents felt strongly that the facility should be retained in some form in any re-organisation of schools in the area.
- 4.7 Consultees allied to Cole Street Primary School were in favour of the closure of Cathcart Street either alone, or in conjunction with an amalgamation at the Cole Street site.
- 4.8 New housing in the area was mentioned as a potential source of additional pupils to fill surplus places. New housing either under construction or with planning approval in the area includes 5 flats converted from an existing building on Cole Street, 14 new 3 bed houses on Fox Street, 14 two bed flats on the former Livingstone public house site on Livingstone Street, 7 three bed houses on Bentinck Street, 6 three bed houses on Knowles Street, 5 two bed flats and a 3 bed house at St Anne's Place and 5 converted flats on Grange Road West. In total within half a mile of Cathcart Street Primary School the North Birkenhead area 57 properties will be or have recently been built or converted. Even treating flats as houses, these developments are projected to produce 13 primary age pupils, of whom 3-4 are likely to attend a Catholic primary school, with a similar number opting for a Church of England primary school such as The Priory CE. Also, the additional pupils are likely to be existing Wirral residents and may already live locally, in which case they may continue to attend their existing school. Local housing changes are unlikely to make a significant impact on the issue of surplus places in this area.
- 4.9 If this option were to proceed, depending on parental preferences, there may be a requirement for relatively modest capital works at the Cole Street Primary site, to which Cathcart Street's catchment zone would be transferred. The capacity of the Cole Street building as it is currently organised is 210 pupils. In the event that the new capacity at Cole Street following any required internal adaptations and building works reached 350 pupils or more, a statutory expansion notice would be required.

## **A2 Closure of Cole Street Primary School**

- 4.10 Cole Street Primary has 124 pupils on roll, having last had more than 210 pupils on roll in 2002 (218). The roll peaked at 277 in 1997 and has experienced a long decline. 75% of potential community school parents living in the catchment zone choose to send their children elsewhere, principally to The Priory CE Primary School (18%, 59 pupils), Christ Church CE Primary School (Birkenhead, 12%, 40 pupils), Woodchurch Road Primary School (12%, 40 pupils) and Cathcart Street Primary School (12%, 38 pupils). 30% of pupils on roll in Summer 2008 came from outside the school's catchment zone, however overall there was a net loss of 63% (204 pupils) to other community and CE primary schools.
- 4.11 The school has 41% (86) surplus places, and this is projected to rise to 47% (99 places) by 2014. While the surplus is, as identified by respondents, slightly lower than that at Cathcart Street Primary, this is well above the 5-10% surplus identified by the Audit Commission, beyond which money is being wasted, and it is right to look at ways of reducing this surplus.
- 4.12 In 2006-2007, expenditure per pupil was £4,466 compared with the Wirral average of £3,249.

- 4.13 The contextual value added score (100.1) for Key Stage 2 in 2008 shows that pupils at Cole Street Primary School are making progress in line with similar pupils in other schools (see Appendix 6).
- 4.14 All current and projected pupils from Cole Street Primary could be accommodated at primary schools within a reasonable distance without requiring any new build classroom provision, although dependant on parental preference and with the agreement of the governing body and Diocese of Chester, there may be additional accommodation needs at The Priory CE (Aided) Primary School. While this may meet the requirement to consider the expansion of popular and successful schools, such a proposal has not been discussed with the Diocese of Chester. There are 31 alternative primary schools within a 2 mile radius of the school. The catchment zone of Cole Street Primary School would be allocated to Cathcart Street Primary School. Parents currently in-zone for Cathcart Street Primary would continue to be in-zone and would be unaffected by this change.
- 4.15 Respondents from Cole Street Primary raised the quality of the relationships between parents, pupils and staff and good standards at the school. There were concerns about the impact on travel and transport, crossing busy roads and on disruption to children's education.
- 4.16 Respondents believed that the Cole Street building, while older, was more suitable for retention as a school due to its solid construction and large classrooms. The restrained site was seen as a positive, as the roof top playground was popular with children, secure, and made the school "special". Suggestions to expand the building and site included: utilising a small strip of grass at the front of the school which could be brought inside the school fence; using the schools car park as playground, reproviding the staff car park either in Birkenhead Park or elsewhere in the neighbouring area; building a conservatory on top of the flat roof; or for the Council to purchase buildings to the rear of the existing school in order to expand the playground.
- 4.17 Consultees allied to Cole Street Primary School were not in favour of this option. Many were in favour of either the closure of Cathcart Street Primary (Option A1) with more children attending Cole Street Primary, or of the amalgamation of Cole Street and Cathcart Street at the Cole Street site. One respondent suggested that if closed, the building could be offered for use by other local community groups.
- 4.18 If this option were to proceed, depending on parental preferences, there may be a requirement for internal alterations at the Cathcart Street or The Priory CE Primary sites. Statutory expansion notices at either school might be required at a later date.

### **A3 Amalgamation of Cole Street Primary School and Cathcart Street Primary School at either site or on a new site**

- 4.19 The two schools taken together have a combined roll of 225 pupils, which is not large in Wirral terms, being around 1 form of entry. The pattern of parental preference in this area indicates a high level of mobility between catchment areas facilitated by high levels of surplus places, as well as overlap between the pupil populations of the two schools, with more children from Cole Street's zone attending Cathcart Street Primary School than making the reverse journey.
- 4.20 The CVA scores for both schools indicate that pupils are making progress in line with similar pupils at other schools. Good standards were cited by some respondents as a reason not to amalgamate the two schools, on the basis that the ensuing disruption would impact upon the quality of education and threaten standards. A minority of parents indicated that they would not want their children to be educated with children from the other school due to a perceived difference in background; however geographical analysis of where parents live indicates that there is an overlap between



the pupil populations of the two schools. Staff from both schools have strongly expressed their commitment to ensure that all pupils would be welcomed in any setting, whatever the outcome of the consultation.

- 4.21 Respondents allied to both schools were concerned that the site for any amalgamated school should be carefully chosen. Issues around parking and safe drop-off areas were raised around both sites.
- 4.22 Birkenhead Park lies between the sites of the two existing schools. Opened in 1847, the Park was declared a Grade 1 listed landscape by English Heritage in 1995 and was recently subject to an £11.5 million renovation. Preliminary discussions with the national lead expert on the Park and Joseph Paxton, who was also the consultant on the recent renovation, indicate that proposals for a primary school on land on the edge of the Park between the internal carriage drive and Park Road East could be viable, as long as the school did not encroach upon the Grand Entrance, and the playing fields remained in public use as part of the Park.
- 4.23 However, respondents allied to both schools expressed reservations about a new school sited in Birkenhead Park. Concerns were raised about litter, particularly broken glass and drug paraphernalia, “stranger danger”, general safety of children travelling to and from school, vandalism, security and potential for increased truancy. In general, few consultees from either school were in favour of an amalgamation into a new build primary school on a new site, rather that an existing site should be used, in particular that an existing building be renewed rather than rebuilt.
- 4.24 If all pupils from both former schools attended an amalgamated school, it is estimated that either existing site would require relatively modest capital works. Whichever site were chosen, the other building could be utilised to accommodate pupils whilst construction work was underway.
- 4.25 Comparison of the two sites indicates that Cathcart Street is the larger of the two sites, at 7,351 m<sup>2</sup>, compared with 2,698 m<sup>2</sup> at Cole Street. The proportion of “green” space at Cathcart Street is 52%, compared with 11% at Cole Street. Both schools already utilise Birkenhead Park for outdoor activities which would be expected to continue, whichever option is implemented. Cathcart Street is a more recently constructed building, single storey, with more scope for extension, including the possibility of housing additional services on site and embedding the well respected CATS club in a new build or extension, removing the temporary mobile currently on the site.

### **Foundation and Community schools**

- 4.26 In an amalgamation, both existing schools close and a new school opens. Under the Education and Inspections Act 2006, all new primary schools, as has been the case for some time in secondary schools, are subject to a “competition” where the Authority invites bids to establish the best provider for the new school. The Authority can enter its own proposal into the competition, and in many cases, particularly in primary school competitions, is likely to be the only entrant. Other possible proposers could include faith organisations, businesses, universities, colleges or a charitable organisation. A new school would be a Foundation school, not a community school. The Secretary of State can, however, decide to grant permission for Wirral LA to propose a new community school within a competition. The criteria that would be used are given in Appendix 5b. An application could also be made to the Secretary of State for permission to establish a new school without holding a competition. While each case is different, examples in the guidance do not appear to apply if Cole Street and Cathcart Street were to amalgamate. Reaching a decision under the statutory competition process is likely to take at least 6 months longer than would be the case without a competition.
- 4.27 The differences between community and Foundation schools are as follows:

- In a community school, the Local Authority owns the land, buildings and all the other assets of the school, employs the staff, and decides the admission criteria for the school. The running of the school is delegated to the governing body.
- In a Foundation school, as well as running the school, the governors own the land and buildings, employ the staff, and decide the admission criteria. The governors have greater freedom to spend money on building projects, and can choose to set their own term dates.

Pupils at Foundation schools follow the same national curriculum as those in community schools, and staff are employed on the same nationally agreed terms and conditions. Funding for Foundation schools comes from the Authority in exactly the same way as for community schools. While the governing body of a Foundation school could decide to have different admission criteria, the school still has to follow the same admissions code as community schools.

Other than the land and buildings, which must be conveyed from the Authority to the Foundation governing body or Trustees, other assets in the school (books, equipment etc.) remain the Authority's property. Excellent relationships continue to be maintained with Wirral's Foundation secondary schools, and there is no reason to believe that this position would differ in the case of a Foundation primary school.

- 4.28 Option A3 does not fall into any of the categories that would be highly likely to receive an exemption from the Secretary of State to hold a competition, e.g. an Infant and Junior amalgamation or reorganisation of schools with the same religious nature. Holding a competition will add 6 months to the decision making process, with extended levels of uncertainty about the future of primary schools in the local area which could have a destabilising effect on primary school rolls, and a case could be made for the need for expediency to resolve community uncertainty, however, it seems unlikely that approval to establish a school without a competition would be granted in this case. Amalgamation, whilst offering an opportunity for the staff in particular, but also the pupils of both schools to start afresh in a "new school", albeit in existing buildings, may not be the most appropriate solution in this instance.

#### **Other suggestions raised during consultation for these schools**

#### **4.29 Amalgamate Cathcart Street Primary and The Priory CE Primary**

As in any amalgamation, both schools would close, and a new school then established on one of the two sites.

Legally, however, it is not possible to combine community and Aided provision into a single school. Neither site is large enough to form a "campus" of separate schools, which would in any case be costly and unlikely to resolve surplus place issues in the area. Another alternative which would achieve the same end would be to propose closure of Cathcart Street Primary School, linked with relocating The Priory CE into the Cathcart Street building, which would require a statutory alteration, not a statutory competition, however the Diocese of Chester would need to approve this move.

This suggestion is not recommended for further consideration.

#### **RECOMMENDATION**

- 4.30 **Option A2 for the closure of Cole Street Primary School is recommended to proceed as a statutory proposal with effect from August 2010, with a proviso to guarantee all former Cole Street pupils on roll at the time of the school's closure a place at Cathcart Street Primary School.**

**Former Cole Street parents who did not wish to take up the guaranteed place at Cathcart Street Primary would be offered the opportunity to express a preference for an alternative primary school. Places at these schools would**

**then be allocated based on the admission criteria published in the Authority's booklets for parents, within the limitations of the Infant Class Size limit.**

**The proposed implementation date of August 2010 will allow for any works required at Cathcart Street Primary School to be carried out ahead of Cole Street's closure.**

## **B Closure of St Laurence's Catholic Primary School**

- 4.31 St Laurence's Catholic Primary has 75 pupils on roll, having last had more than 210 pupils on roll in 1998 (211), followed by a long decline. The school serves the St Laurence's Parish which is part of the wider parish of St Laurence and St Werburgh's, also served by St Werburgh's Catholic Primary School.
- 4.32 There were a total of just 80 Catholic choice pupils living within the St Laurence's Parish in Summer 2008. Of these, 61% (49 pupils) attended St Laurence's Catholic Primary School. The remaining 39% (31 pupils) principally attended St Werburgh's Catholic Primary School (16%, 13 pupils), Our Lady and St Edward's Catholic Primary School (13%, 10 pupils) and St Joseph's Catholic Primary (Birkenhead) (6%, 5 pupils). 31% of pupils on roll in Summer 2008 came from outside the school's catchment parish, however overall there was a small net loss of 8% (6 pupils) to other Catholic primary schools.
- 4.33 The school has 64% (135) surplus places, and this is projected to rise to 74% (155 places) by 2014.
- 4.34 In 2006-2007, expenditure per pupil was £5,520 compared with the Wirral average of £3,249. This was the highest expenditure per pupil for any Wirral primary school that year.
- 4.35 The contextual value added score (101.4) for Key Stage 2 in 2008 shows that pupils at St Laurence's Catholic Primary School are making more progress than similar pupils in other schools (see Appendix 6).
- 4.36 All current and projected pupils from St Laurence's Catholic Primary could be accommodated at primary schools within a reasonable distance without requiring any new build classroom provision. The Diocese of Shrewsbury and the Local Authority have agreed in principle to work co-operatively to provide Catholic primary places for every former St Laurence's pupil whose parents wish them to attend a Catholic primary school. A £406,000 four classroom extension will shortly be completed at Our Lady and St Edward's Catholic Primary School, funded by the Primary Capital Strategy, and depending on parental preference, there may be other accommodation needs, including at St Werburgh's Catholic Primary School. There are 28 alternative primary schools within a 2 mile radius of the school, of which six are Catholic primary Schools.
- 4.37 Respondents from St Laurence's Catholic Primary raised the quality of the relationships between parents, pupils and staff. The contribution of the school to the community over several generations was raised, with particular reference to high levels of deprivation in the area. Restrictions caused by the small size of the school were, respondents felt, offset by the hard work and dedication of the school's staff who went "above and beyond" to ensure a good quality education and nurturing environment.
- 4.38 Concerns were raised about the quality of education and class sizes at alternative schools, also whether children attending non-Catholic primary schools would retain their priority admission to Catholic secondary schools. The distance to alternative schools and availability of places and the future of the St Laurence's site were also raised as issues.

- 4.39 Appendix 6 shows the CVA score for schools in the North Birkenhead area, and also for St Werburgh's Catholic Primary School. Pupils at all schools are making at least the expected rate of progress, with four schools making more than the expected rate of progress. Standards at alternative school provision are not in question.
- 4.40 In terms of class size, the arrangement of classes is a matter for individual governing bodies to decide, within the confines of the school's budget and accommodation. There is little correlation between overall school size, class size, and educational standards. As discussed in 3.4 to 3.7, larger schools can afford to employ more staff, to enable more small group and one to one teaching outside the traditional classroom setting, which can be of great benefit to some children, particularly those with special or additional needs.

DCSF	School	On roll	Number of classes	Average Class size	Vertical groups?	Staff:Pupil ratio
	<b>Wirral Average</b>	<b>264</b>	<b>10.1</b>	<b>25.0</b>		<b>1:8</b>
2275	Bidston Avenue Primary	411	14	29.4	No	1:6
2261	Cathcart Street Primary	101	7	15.3	No	1:14
2262	Cole Street Primary	124	7	18.1	Yes (1)	1:10
3368	Holy Cross Catholic Primary	182	9	20.6	Yes (1)	1:10
3367	Our Lady St Edward's Catholic Primary	249	9	27.7	Yes (1)	1:8
2249	Portland Primary	176	8	24.5	Yes (1)	1:10
3370	St Laurence's Catholic Primary	75	4	20.8	Yes (all 4)	1:9
3366	The Priory CE Primary	208	7	29.7	No	1:11
3372	St Werburgh's Catholic Primary	192	8	27.0	Yes (1)	1:9

The table above shows the number on roll aged 4 to 11 at January 2009, with the number of classes (excluding F1 classes), average class size and whether any vertical grouping occurred (number of classes in brackets). Staff : Pupil ratio includes Full Time Equivalents for teaching and non-teaching education-based staff (e.g. excluding administrative/bursars and clerical staff).

Another measure of "class size" is the Staff to Pupil ratio. The Wirral average is one member of teaching/support staff to every 8 pupils on roll, where the average school size is 264 pupils. Bidston Avenue, although the largest school in this planning area, with nearly the highest average class size, also has the lowest staff to pupil ratio, with one member of teaching/support staff to every 6 pupils on roll.

On this measure, St Laurence's has 1 member of teaching/support staff to every 9 pupils on roll – the same as St Werburgh's which is almost three times larger, however it should be borne in mind that this is achieved by funding St Laurence's at the highest level of any Wirral primary school, effectively at the expense of every primary school child in Wirral.

- 4.41 The Diocese has indicated that all pupils wishing to transfer to a Catholic primary school in the event of closure, will be guaranteed a place. In terms of retaining their priority status for admission to Catholic secondary schools if children transfer to non-Catholic primary schools, the Diocese have stated that an exception to the admission policies of Catholic secondary schools will not be made in this instance. It may be worth noting that over the last five years of Year 7 admissions (2003 to 2008), on average 25% of pupils admitted to Catholic secondary schools had attended a non-Catholic primary school. The breakdown by school is as follows:

St John Plessington : 29%

St Anselms College: 28%

Upton Hall School: 27%

St Mary's College: 21%

- 4.42 In terms of distance to alternative schools, the distance between the St Laurence's site and other Catholic primary schools are not great. St Werburgh's is half a mile away – about 12 minutes walk. Our Lady and St Edward's is 0.8 miles away (about 16 minutes walk). Wirral policy on transport to schools says that pupils are entitled to free transport if the nearest appropriate school is more than 2 miles away for children aged under 8, and more than 3 miles away from children aged 8 and over. Within the 2 mile distance are also St Joseph's Catholic Primary (Birkenhead) at 1.3 miles (29 minutes walk), St Joseph's Catholic Primary (Wallasey) at 1.4 miles (30 minutes walk) and Holy Cross Catholic Primary School at 1.8 miles (35 minutes walk). The exact travel distance for any individual pupil would depend on their home address.
- 4.43 St Laurence's is the site for a satellite to the Birkenhead and Tranmere Children's Centre based at St Werburgh's Catholic Primary School. The LA also leases part of the building for use by its Adult Learning team. Both services would require rehousing in the local area if this option were to proceed.

#### **Other suggestions raised during consultation for this school**

- 4.44 **Maintain St Laurence's as a small school, reducing surplus places by other uses of the building**

There are currently 75 pupils on roll, projected to fall to 55 pupils by 2014. The number of surplus places is projected to rise from 135 to 155. This means the school would be 75% empty by 2014.

The rationale for this suggestion is that a reduction of surplus places could be achieved by further usage of the building for "non-school" purposes.

The capacity of St Laurence's, measured by the DCSF Net Capacity method, is 210 places. The school has already given over former classroom spaces for use as: a Conference room; a Parents room; a Foundation resource; an additional Foundation 1 room; two classrooms (plus additional facilities) are now in use by a Children's Centre Satellite, and the Annexe is currently used by the Authority's Adult Learning team. Had these alterations not been carried out, the capacity at St Laurence's would now be 381 pupils – which would mean 306 surplus places.

The Authority seeks to co-locate children's services with schools wherever possible, and has done so at St Laurence's. The viability of any school chosen as a co-location site must be taken into account when decisions are made regarding extended schools. Any further reduction in surplus places would not, however, address the issues faced by the school due to its small size, and there is little prospect of numbers on roll at the school increasing.

This option is not recommended to proceed as a statutory proposal.

#### **RECOMMENDATION**

- 4.45 **Option B for the closure of St Laurence's Catholic Primary School is recommended to proceed as a statutory proposal with effect from August 2010, with a proviso to guarantee all former St Laurence's pupils on roll at the time of the school's closure a place at a Catholic primary school if this is their preference.**

**Former St Laurence's parents would be offered the opportunity to express a preference for any primary school. Places at these schools would then be allocated based on the admission criteria published in the Authority's booklets for parents, within the limitations of the Infant Class Size limit.**

**The proposed implementation date of August 2010 will allow for works required at neighbouring Catholic primary schools to be carried out ahead of St Laurence's closure.**

## **5.0 Amendments to Phase 6 of the Primary Places Review**

5.1 At its meeting of 16<sup>th</sup> October 2008, Cabinet approved Phase 6 of the Review, to include the following small planning areas: South Wallasey, North Wallasey, Leasowe, Moreton, Upton and Greasby. At its meeting of 19<sup>th</sup> March 2009 Cabinet made an allowance for an amendment to Phase 6:

*(404, item 4) Should the Joint Church school be approved and implemented as in (2), the Leasowe area be moved from Phase 6 of the Primary Places Review to Phase 8 accordingly.*

The minutes of this meeting are attached as Appendix 8.

5.2 Following the 19<sup>th</sup> March 2009 Cabinet meeting, the Diocese of Shrewsbury and Diocese of Chester applied to the Secretary of State for consent to waive competition in relation to the establishment of a Joint Church school in Leasowe on 7<sup>th</sup> April 2009. Approval for the waiver was received on 17<sup>th</sup> July 2009.

5.3 The next stage in this process is for a meeting to take place between the Local Authority and the two Diocesan bodies, prior to formal statutory notice publication during Autumn 2009, which begins the legal process for closing the existing school (Our Lady of Lourdes Catholic Primary School) and establishing the new Joint Church school.

5.4 While the Joint Church school has not been approved and implemented as per the recommendation made on 19<sup>th</sup> March 2009, it is recommended that the Leasowe area be removed from Phase 6 of the Review, to be reviewed in due course in Phase 8 of the Review.

## **Manor Primary School**

5.5 A further amendment is sought to include a review focused on Manor Primary School in Beechwood. Manor Primary School formed part of Phase 5 of the Review, however, none of the options included in the 28<sup>th</sup> May 2009 report involved Manor Primary. Following the Cabinet meeting Ofsted placed Manor Primary School in Special Measures, the most serious category of concern on 3<sup>rd</sup> June 2009. Schools are placed in special measures if they are deemed to be failing to provide learners with an acceptable standard of education and where the people responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement. The Ofsted report is attached as Appendix 9.

5.6 Under Section 15 of the Education Act 2005, as amended by Part 1 of Schedule 7 of the Education and Inspections Act 2006, the Local Authority has a duty to provide a Statement of Action within 10 working days of a school being placed into an Ofsted category of concern and has met this requirement. The Statement of Action must set out:

- the action the local authority has taken so far;
- the additional support the local authority will commission to help the school address the areas of weakness identified by Ofsted;
- what arrangements the local authority has made to inform parents and carers about the actions planned for the school, and how it will gather and take into account their views;
- what specific steps are needed to build the leadership and management capacity of the school, including at middle management level;

- whether there is scope for partner organisations to be brought in to support the school (including other schools, trusts, colleges, or non-educational organisations), and how this collaboration will be facilitated;
- the scope for the school to be closed or federated, taking into account the number of surplus places in better-performing local schools, and – if such a course of action is appropriate – when this might happen;
- the scope for the school to become a Trust school or an Academy;
- whether the authority intends to use its intervention powers to appoint additional governors, require the school to enter into arrangements, withdraw delegation of the budget, or replace the governing body with an Interim Executive Board (IEB);
- if the school is not to be closed or federated, or the authority’s intervention powers will not be used, why none of these actions is considered appropriate; and
- a plan of future action, including resource implications, quantified targets to evaluate the effectiveness of external support, target dates for key actions, and progress review points.

5.7 The Local Authority has a duty to consider various intervention options listed above when a school enters Special Measures, accordingly, these will be considered in relation to Manor Primary School during Phase 6 of the Review.

5.8 A map showing shaded areas representing the Phase 6 review areas, and a list of schools included in each small planning area, is attached as Appendix 10.

## 6.0 Implications of the Review Process for Pupils

### Admission Arrangements: present and future pupils

6.1 The closure and/or amalgamation of primary schools will have implications for the Authority’s admission arrangements. The DCSF have advised that there is no requirement to consult separately on any changes to admission arrangements as long as full details are provided to parents in the statutory public notices on the proposed alterations to the school provision. This would include details on how the Authority would propose to manage the transfer of pupils to alternative schools, and also deal with applications from parents living in the areas concerned for places in Foundation 2.

### Re-zoning of areas

6.2 In the event of any reorganisation, school catchment areas would have to be reviewed. In the case of an amalgamation it might be assumed that the catchment areas of the schools involved could simply be merged but it is likely that we would take the opportunity to consider any other necessary adjustments. In the case of a school closure, zones of neighbouring schools would have to be re-drawn . Changes would need to take into account consideration of home address in relation to nearest appropriate schools, the new capacity of schools in the area, and other factors such as planned housing development.

In relation to the potential transfer of existing pupils to alternative schools, the Authority would invite parents to indicate a preference. If their preference was for a placement in a community or controlled school, then the Authority would seek to meet that preference, within the admission criteria set out in the Authority’s booklets for parents.

### Pupils with Special Educational Needs

6.3 If any pupil has a Statement of Special Educational Needs then the Statement will be amended to reflect the new school, and the provision specified in the Statement will be delivered appropriately. Any pupils who are currently placed in designated special provision such as a Special Needs Class would be transferred to an alternative placement according to parental preference. For all those pupils on the SEN register who are affected, the Authority would deploy an element of any savings to provide enhanced support at their new school. Details of how such a scheme may operate would need to be developed.

## **7.0 Staffing Implications**

### **7.1 Closure of Schools**

If a school closes, staff would technically be redundant. However, the neighbouring schools to which pupils relocate will require additional staff, and these schools would be requested to give prior and preferential treatment to redundant staff.

### **7.2 Redeployment**

In previous years, Wirral has had an excellent record of finding alternative employment for school staff. When posts are advertised in Wirral, schools are requested to give redundant staff who meet the advertised criteria, either a prior and preferential interview or an interview in competition with other candidates.

## **8.0 Financial Implications**

8.1 The recommendations contained in this report have capital implications in respect of the re-location of current pupils and the re-allocation of future pupils to schools. The level of capital required will depend upon the final, approved proposals and will require further, detailed development work. An amount of £250,000 is included in the 2009/10 Schools Capital Programme for “scheme development resulting from primary reviews” which was approved at the Cabinet meeting of 28th May 2009. This will allow schemes to be drawn up, costed and tendered, with any balance contributing to build costs. The balance of the capital build costs would need to be drawn from the following sources: DCSF Primary Capital Programme, DCSF Modernisation Grant, council capital including capital receipts from the disposal of surplus assets, Prudential Borrowing and capital forming part of other national initiatives. It is a requirement that funding is clearly identified when proposals are submitted to the decision maker for approval.

8.2 The recommendations contained in this report include the closure and amalgamation of schools, which in turn will produce revenue savings, to the benefit of other schools as the funding is re-distributed. In the short term the Authority could be required to fund any staff severance costs following closures and amalgamation but they may be partly or entirely offset by savings.

## **9.0 Equal Opportunities Implications**

9.1 An equality impact assessment will be carried out on this report.

## **10.0 Human Rights Implications**

10.1 There are none arising directly from this report.

## **11.0 Local Agenda 21 Statement**

11.1 The removal of old, inefficient accommodation contributes to Council principles and targets in respect of Agenda 21.

## **12.0 Community Safety Implications**

12.1 Rationalisation and refurbishment of schools allow the most vulnerable accommodation to be removed and other security improvements carried out.



### **13.0 Planning Implications**

- 13.1 The relationship between housing development policy and school place provision is a factor in considering surplus place removal.
- 13.2 Construction of any new classroom provision would be subject to the usual planning permissions.

### **14.0 Local Member Support Implications**

- 14.1 Primary place planning and potential surplus place removal have relevance to all Wards.
- 14.2 The current options affect the Bidston and St James, Birkenhead and Tranmere and Claughton Wards directly.
- 14.3 Phase 6 of the Review involves schools located in the following Wards: Seacombe, Liscard, New Brighton, Wallasey, Leasowe and Moreton East, Moreton West and Saughall Massie, Upton, Greasby Frankby and Irby, Bidston and St James (Manor).

### **15.0 Background Papers**

Audit Commission Report: Planning School Places in Wirral September 2004.

School Organisation Plan.

LA document "Pursuit of Excellence: Primary Education in Wirral".

School pupil number returns, January 2009 (Annual Census return to DCSF).

School Net Capacity Calculation, July 2009, to DCSF requirements.

Consultation Documents

Other data held in Department including that provided by Wirral Health Authority.

### **16.0 Appendices**

See list attached.

### **17.0 Summary**

- 17.1 No one closes schools lightly. However, there is general agreement amongst all stakeholders that action must be taken to address the issue of surplus capacity. 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 below I believe will ensure best value for the future generations of children in the review areas, and more equitable spending for the benefit of all Wirral's pupils, from the savings made.

### **18.0 Recommendations**

- 1) That statutory proposals be published in respect of the following options:
  - Option A2, closure of Cole Street Primary School from August 2010
  - Option B, closure of St Laurence's Catholic Primary School from August 2010
- 2) That the Director of Children's Services be authorised to take all necessary steps to publish these proposals, ensure the prescribed procedures are followed, including requesting permissions from the Secretary of State and proposals for the re-zoning of schools, in furtherance of the proposals.
- 3) That amendments be made to Phase 6 of the Primary Places Review:
  - a. to move the Leasowe planning area to Phase 8 of the Review, pending the outcome of proposals for a Joint Church school in that area

- b. to review Manor Primary School following that schools placement in Special Measures by Ofsted

**Howard Cooper**

**Director of Children's Services**

# List of Appendices

<b>Appendix</b>	<b>Description</b>
1	Extract from School Organisation Plan: Policies and Principles
2	Cabinet Report and resolution from 28 <sup>th</sup> May 2009
<i>Consultation</i>	
3a	Analysis of Consultation
3b	Summary of responses
4	Response from Diocese of Shrewsbury
<i>Education and Inspections Act 2006</i>	
5	Summary of new regulations on school re-organisation
<i>Standards</i>	
6a	Standards – KS2 data; Value Added
6b	Standards – Extracts from Ofsted reports
<i>Issues concerned with size and viability</i>	
7a	Extract from “In Pursuit of Excellence”, written by Wirral Headteachers and the Primary Team, School Effectiveness
7b	Extract from “Small Schools: How well are they doing?” (Ofsted 2000)
7c	Size and viability in consultation area
<i>Other items</i>	
8	Cabinet Resolution from 19 <sup>th</sup> March 2009
9	Ofsted Inspection report on Manor Primary School, June 2009
10	Map of Phase 6 small planning areas and schools list