

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

6 NOVEMBER 2008

REPORT OF CORPORATE MANAGEMENT TEAM

KEY DECISION

Children and Young People – Lead Cabinet Member – Councillor A Cunningham

REORGANISATION OF SECONDARY SCHOOLS IN BILLINGHAM

1. Summary

The projected decline in the number of students attending secondary schools in Billingham is such that it will become impossible to sustain three separate schools. The impact of falling rolls has affected Billingham Campus School most severely, putting its viability beyond 2014 in doubt. The Authority will be required to address this issue in the second part of the Building Schools for the Future Strategy for Change to be submitted to government in December.

Initial consultation has taken place on a possible merger of Billingham Campus and Northfield schools in September 2009. The merged school would operate on two sites for at least five years. Around 2014 the decline in student numbers will enable all the students to be accommodated on one site. This is expected to coincide with the availability of BSF funding to remodel the Northfield buildings.

Split-site operation would allow all present Campus students to remain on their present site for the whole of their secondary school career. Action is planned to mitigate the impact of the merger on school staff.

The merger proposal is supported by the two school governing bodies. Issues raised during the consultation process are summarised in this report.

2. Recommendations

Members are asked to agree that a statutory Public Notice be issued describing a proposal to:

1. discontinue Billingham Campus School with effect from 31st August 2009, and
2. enlarge Northfield School from 1,120 to 1,800 places to encompass the site and buildings of Billingham Campus School with effect from 1st September 2009.

A draft Statutory Notice is attached as **Appendix 1**.

3. Reasons for the Recommendations/Decision(s)

Sections 7 to 15 of the Education and Inspections Act 2006 lay down a statutory procedure that must be followed when major changes to school organisation are under consideration. The Authority must first consult those persons most likely to be affected by the change. Having taken account of the views expressed in consultation, the next stage is to publish a Statutory Notice of the Authority's intention to proceed with the proposals.

4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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RECOMMENDATIONS

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DETAIL

Background to the proposal

1. This proposal arises from the assessment by government agencies of the Building Schools for the Future Strategy for Change document agreed by Cabinet in July. The three agencies involved are the Department for Children, Schools and Families,

the Office of the Schools Commissioner and Partnerships for Schools. The Strategy for Change Part 1 submitted in July included the option of a hard federation involving Campus and Northfield schools. The assessment letter from DCSF on behalf of all three agencies includes these comments: "Firm and achievable plans need to be in place for the Trust to support the federation of Billingham [Campus] and Northfields, with named and agreed Trust partners including a high-performing educational institution." "The schools should apply to the next round of the Trust and Foundation Partnership's Supported Schools Scheme." After further exploration with the school governing bodies, the federation idea has been rejected as unfeasible. The Council cannot create a federation of schools. This can be done only by the governing bodies concerned. Discussions with Partnerships for Schools have confirmed that in the absence of a firm federation plan an alternative proposal for Billingham must be put forward in Strategy for Change Part 2.

2. The three secondary schools in Billingham at present offer a total of 3,026 places for students aged from 11 to 16. The number of students in these schools has begun to decline rapidly. At the schools census taken in January 2008 a total of 2,771 students were on roll at the three schools. By October this number had fallen to 2,678. The latest projections received from the Tees Valley Joint Strategy Unit indicate that by 2014 the total will fall to 2,150.
3. If the current pattern of parental preference continues, much of this decline in student numbers is likely to fall on one school. In recent years almost all the available Year 7 places at St Michael's and Northfield schools have been filled. In some years a number of applications have been unsuccessful. In contrast, the number of students at Billingham Campus School has fallen by nearly 200 in two years. The Council believes that Northfield and St Michael's will remain popular and that Campus School will continue to suffer most of the impact of the fall in student numbers. If Northfield and St Michael's were to be full in 2014 (1,995 places) Campus School might have fewer than 200 students.
4. At present more than 300 students attend Billingham schools from home addresses in Stockton. New and remodelled school buildings will open in Stockton between 2012 and 2013 under the BSF programme. It is possible that fewer students will make the choice to travel from Stockton to schools in Billingham when those renewed schools are open.
5. The report made to Cabinet in July 2008 confirmed that funding for BSF in Stockton-on-Tees will be delivered in two waves. The wave 6 project includes all the secondary schools in Stockton town, the two secondary special schools and proposed Academies in Stockton and Thornaby. Billingham is part of the second wave of BSF investment with an indicative start in 2014-16. The government is to review the prioritisation of all BSF projects after wave 6 with a view to bringing more local authorities into the programme more quickly. This review may lead to a change in the place of the second wave for this borough within the national programme. The outcome of the review is expected in spring 2009.

The present proposal

6. It is proposed that Billingham Campus and Northfield schools should merge to become a single school operating on two sites. The merger would be achieved by closing Campus as a school and enlarging Northfield to take in the Campus site and buildings. This would not create a new school: it would be a "prescribed alteration" to Northfield School, increasing its pupil capacity over the two sites to 1,800 initially.

The capacity of the combined school would reduce with the projected decline in student numbers at a rate of nearly 100 a year.

7. Merging the two schools in this way would allow all the current Campus students to remain on that site for the whole of their secondary education. The same is likely to apply to new entrants to Campus in 2009, and possibly 2010. The present curriculum offer could be maintained on the Campus site, including the specialist arts provision and support for students with special educational needs. This would be more difficult for Campus to maintain as a separate school in a climate of falling rolls. The merger would make the combined resources of both schools available to students at both the Campus and Northfield sites. The governing body would be responsible for all operational decisions relating to the enlarged school, including the allocation of students, staff and resources between the two sites.
8. Staff members at community schools are employees of the local authority but responsibility for their management is delegated to school governing bodies. Each school has its own management and organisational structure, and a merger would result in some duplication of posts and responsibilities. The Council's Human Resources Service is already working closely with both governing bodies and with staff unions and associations to mitigate the potential impact of this proposal, should it be approved. Subject to governing body agreement it is intended that all staff at Campus would be transferred to the staffing establishment of Northfield School on existing terms and conditions. The Northfield School governing body has indicated agreement in principle to this suggestion. The governing body and school leadership team would draw up a new staffing structure appropriate to the needs of a split-site school. This could be implemented gradually over the period of split-site operation. This extended timescale and normal staff turnover would reduce the need for enforced changes. Salary protection for three years would be available for individuals moving to a post at a lower grade within the school. A staffing protocol has been developed in consultation with unions and has been recommended for adoption by the two present governing bodies with the aim of supporting staff retention, recruitment and redeployment. Governing bodies would be asked to consider ringfencing vacancies to existing staff of the two schools in the first instance. The ultimate aim will be to avoid redundancy as far as possible.
9. This proposal would not change the process for the admission of pupils to secondary schools in 2009 because all school places will be allocated before the proposed implementation date of 1st September 2009. If the proposal is approved, all students allocated places at Northfield School for September 2009 will attend the Northfield Thames Road site, and all students allocated places at Campus will attend the Marsh House Avenue site. For admission in 2010 and subsequent years, parents would not be able to apply for places at Campus because it would not exist as a separate school. The intention is that all parents applying for a place at Northfield would be asked to state their preference for the Thames Road or Marsh House Avenue site. The local authority would allocate places at the enlarged Northfield School and would ask the school governing body to consider parents' preferences when determining how pupils are distributed across the two sites. Arrangements for admission to these schools in 2010 will be subject to further consultation after this proposal has been determined early in 2009.
10. Subject to the national review of prioritisation, BSF funding may become available for Billingham in 2014. By that time the number of students across the two Northfield sites is likely to be around 1,200, only a small increase on the current capacity of the Thames Road site (1,120). BSF funding could be used to remodel the Northfield buildings at Thames Road for a final capacity of 1,200. On the

completion of that building work, the Campus buildings would be vacated. The more modern parts of those buildings, including the new technology block and the refurbished sports block, could be incorporated into the new buildings for St Michael's Catholic School.

Outcomes of consultation on this proposal

11. A consultation paper attached as **Appendix 2** was distributed through all the primary and secondary schools in Billingham. It was published on the Council website and made available in the two Billingham public libraries. Comments were invited by letter or email. Meetings took place at the two schools for parents, students, staff and members of the community. Council officers also attended meetings of the governing bodies of Billingham Campus, Northfield and St Michael's schools, the Stockton-on-Tees Children's Trust Board, the Billingham Partnership and Billingham Town Council. The views expressed in consultation are summarised below.
12. In total 22 emails were received from parents or community members. These are reproduced in full in **Appendix 3**. Notes were taken by staff of Campus and Northfield schools at meetings for parents. These are not included with this report but have been made available for members.
13. The Council as local education authority has a strategic planning and commissioning role. Issues arising from consultation that relate to the local authority role are discussed in paragraphs 14 to 22 below. The internal management of schools, including staffing, the curriculum and class organisation are the responsibility of school governing bodies. Those issues are discussed in paragraphs 23 to 26.

Issues related to the role of the Council

14. Many people were unhappy that the preferred option in the 2007 consultation (retaining three schools in Billingham) is no longer offered as an option. The three-school option was taken forward by Council officers in discussions with government agencies but the argument for three schools could not be sustained against scrutiny of projected student numbers. A third school in Billingham could be viable only if the other two schools were reduced in size by almost 500 places. This would deny almost 500 parents the option of a place at their preferred school. The Office of the Schools Commissioner has indicated in discussions with Council officers that the more popular schools should be expanded rather than reduced so that more parents can secure places there.
15. The accuracy of the pupil number projections was questioned. Projections have proved extremely accurate in the past (99.8% accurate over ten years at borough level). There can be great confidence in the overall projections up to 2018 because almost all the pupils who would be in secondary schools to that date are already in primary schools. Projections beyond 2018 must be more speculative. There is no doubt that student numbers in the Billingham schools will fall to around 2,200 by 2014. An increase in pupil numbers is projected in 2018, but at present there is no indication of a further rise beyond 2,300. This would not be sufficient to sustain three separate schools.
16. Some individuals expressed the view that the enlarged Northfield School would be too large to meet the individual needs of every student. All schools are already working towards personalised learning with individual learning programmes for every student. The effect of this merger proposal is that during the period of split-site operation the two sites of Northfield School would operate almost as separate

schools under a single governance and management arrangement. The present ethos, curriculum range and pastoral arrangements on each site could not be changed immediately. The aim would be a gradual convergence to achieve full integration as a single school before the transfer to a single site. The single-site Northfield after 2014 would be designed under BSF for 1,200 students, only a small increase on its present capacity and in line with the size of three other secondary schools in the borough.

17. A view expressed by several people was that the proposed merger would inevitably reduce the degree of choice available to parents in Billingham by moving from three schools to two. A key principle of the agreed BSF strategy is that every school in the borough should be a good school. The projected student numbers in Billingham do not support three strong and viable schools. This proposal would enhance the choice available to parents by enabling all Billingham students to access one of two strong schools offering a broad and high quality curriculum.
18. A small number of parents pointed to the improving GCSE results at Billingham Campus and suggested that this proposal could not be justified on grounds of low standards of attainment at the school. The consultation paper (**Appendix 2**) makes clear that this proposal is based on demographics, not on standards issues. Measured by the government's preferred benchmark of the percentage of students achieving five or more GCSE passes at grades A*-C including maths and English, Campus achieved a provisional 29.6% in 2008, Northfield 47.7% and St Michael's 63.2%. The Authority is working to support all schools in continuing the impressive improvement in standards that schools have achieved in recent years. This proposal will contribute to that process by allowing all students at Campus and Northfield to access the strengths of both schools.
19. It was suggested that the proposed closure of Campus School might be delayed for three years. This would allow time for the school to continue to raise standards and to test the projected decline in student numbers. Delaying the proposal would not be consistent with the timetable for BSF submission established by Partnerships for Schools. It would also mean that Campus governors would not be able to draw on the support of Northfield, and there would be a long period of uncertainty for students, parents and school staff. If integration of Campus with Northfield to form a single school is the ultimate aim, the sooner that decision is made the better.
20. There was some concern that the challenges arising from demographic change would appear to affect both of the community schools in Billingham without any apparent impact on St Michael's Catholic School. The capacity of St Michael's could be further increased to meet parental preference, should that be required in the longer term.
21. Among the messages received by email from parents or members of the public, a small number included statements in support of the proposal:
 - (a) "I look forward to the changes at the Campus."
 - (b) "I am fully behind the proposals in the document." "I believe that the proposals still leave the people of Billingham with a good choice of schools."
 - (c) "Our local school is Campus. However our choice of school is Northfield School without a doubt or hesitation."
22. The subject of this consultation was the possible merger of Campus and Northfield schools. The timing of this proposal is linked to the BSF Strategy for Change process, but the need for the proposal arises from demographic trends. It is not dependent on BSF funding. Some responses to consultation referred to BSF issues

rather than to the present proposal. Some asked, for example, what would happen if economic or political changes ended the BSF programme before any investment had reached Billingham. Others suggested that the single-site Northfield School should be sited at Marsh House Avenue rather than at Thames Road. Several people referred to traffic congestion or concerns over road safety around the Thames Road site, and the impact on home to school journeys of the eventual consolidation of Northfield School onto a single site. Some questioned the value of moving St Michael's to the Campus site. These are all valid questions and opinions which will be addressed as the Council's strategy for the second wave of BSF investment develops.

Issues relating to the role of the school governing body

23. Several parents were concerned that the proposed merger might disrupt the education of their own children. There were questions about whether children now at Campus would be able to stay there for the rest of their secondary career; whether younger children would start at the Campus site and later be transferred to the Northfield site; whether students might be transferred from Northfield to Campus to facilitate building works under BSF.
24. Concerns were expressed about the position of staff at both schools. It was thought that the merger proposal would lead to loss of morale among staff at Campus, and that staff members would seek posts elsewhere.
25. Many people expressed the view that insufficient information had been given to enable them to form an informed view of the proposal. Detailed information was requested on matters including:
 - (a) the policy on school uniform at a merged school
 - (b) the exact duration of split-site operation
 - (c) criteria for allocating pupils to each site
 - (d) the impact of a merger on standards of attainment at both sites.
26. All these issues are matters for the school governing body. The two governing bodies jointly wrote to parents describing this proposal as "the best way forward for the future educational needs of all the pupils in Billingham." School governors take their responsibilities seriously and can be expected to manage any merger with the best interests of pupils and staff in mind. Positive discussions have already taken place, and a small group of governors from both schools, along with the two headteachers, will be asked to prepare an implementation plan for the merger. The intention is that this plan should be made available to parents if Cabinet agrees to publish a Statutory Notice. In this way many of the parents' concerns can be addressed before a final decision is taken.

Next steps

27. The publication of a Statutory Notice is followed by a period in which any person may make representations in writing for or against the proposal. The representation period for a school closure proposal is six weeks. In the case of a prescribed alteration (the enlargement of Northfield) the statutory representation period is four weeks. A decision on the proposal must be taken within two months of the expiry of the earlier of those dates. Under the Council Constitution that decision would be delegated to the Corporate Director, CESC, in consultation with the Cabinet Member for Children and Young People (Executive Function 365).

FINANCIAL IMPLICATIONS

28. All mainstream schools in the Borough receive an annual delegated revenue budget calculated according to an agreed formula. The allocation to each school is referred to as the school's "budget share." The largest factor in the allocation formula is based on the number and age of students on roll at the school at the January census preceding the start of the financial year. Other elements include allocations for premises and grounds maintenance based on floor area and grounds area, and every secondary school also receives a flat-rate lump sum. Should this proposal be approved, the budget share for Northfield School would be recalculated from the implementation date to include all the pupil-led and site-related factors relating to the Campus site. The result would be very similar to the aggregated budget shares of the two separate schools, an estimated £8.5 million. In a full year at 2009-10 prices this would be approximately £69k less than the total of the two separate budgets. This sum would be available for redistribution among schools according to the formula agreed by the Schools Forum.
29. The government allocates an annual capital grant to every school. For secondary schools there is a lump sum of £18,500 plus an amount per student. One of these lump sums would be lost on the merger of these schools. The combined capital grant for these two schools would be reduced from £214,677 to £196,177.

LEGAL IMPLICATIONS

30. This proposal would be published under Sections 15 and 19 of the Education and Inspections Act 2006 and Schedule 2 to that Act. This legislation, and statutory guidance arising from it, sets out the procedures for making changes such as closing or enlarging a school. Local authorities considering such changes must first consult interested parties. Having considered the responses to consultation, the authority must then publish a Statutory Notice if it intends to proceed with the proposal. The Department for Children, Schools and Families has checked the wording of the draft notice attached to this report and confirmed that it meets all statutory requirements.

RISK ASSESSMENT

31. A risk assessment has been carried out. The proposal is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

COMMUNITY STRATEGY IMPLICATIONS

Economic Regeneration and Transport

32. No implications.

Safer Communities

33. No implications.

Children and Young People

34. The proposal is intended to improve education services for children and young people.

Healthier Communities and Adults

35. No implications.

Liveability

36. No implications.

EQUALITY IMPACT ASSESSMENT

37. An Equality Impact Assessment has been carried out. No adverse impact on any group has been identified.

CONSULTATION INCLUDING WARD/COUNCILLORS

38. Briefings were given to group leaders and ward councillors at an early stage. The statutory consultation process is described in this report.

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Background Papers

Cabinet reports dated 11 February and 21 July 2008.

Ward(s) and Ward Councillors:

Billingham North: Councillors Aggio, Apedaile and Leckonby

Billingham East: Councillors Cunningham and Stoker

Billingham Central: Councillors McCoy and Woodhouse

Billingham South: Councillors O'Donnell and Smith

Billingham West: Councillors Womphrey and Mrs Womphrey

Northern Parishes: Councillor Gardner

Property

No immediate implications.