

Lancashire County Council's response to key issues raised through the Hameldon Community College Consultation

Background and advice

Hameldon Community College is an 11-16 local authority maintained community school located in Burnley. The latest published inspection of the school was in July 2015 when, overall, the school was judged to require improvement. At this inspection, both leadership and management and pupils' personal development were judged to be good. During the consultation phase, the school was re-inspected and the outcome will be in the public domain in late November/early December.

As at October 2017, the school had 215 pupils on roll and the number of pupils expressing a first preference for September 2017 admission to the school was just 30. With regard to their financial position, the school has been in steady decline over the last four years and, as at 31 March 2017, their cumulative deficit balance was £2.2m, which is forecast to increase to a cumulative deficit of £2.5m by 31 March 2018. A significant amount of time and professional resources have been allocated to this school by the local authority throughout the period since it first opened.

Despite the efforts of the school and the support of the local authority, Hameldon Community College has been unable to make sustained improvements over time and now these circumstances require the local authority to consider its future. Lancashire County Council's 'School Place Provision Strategy 2017/18 to 2019/20', identifies concerns around educational and financial viability as being reasons for making a closure proposal. The Department for Education's (DfE) statutory guidance, 'Opening and Closing Maintained Schools' (April 2016) gives a reason for closing a maintained school as 'it is failing and there is no viable sponsored academy solution.'

There is a wide diversity of secondary school provision in the Burnley district comprising one community school; three foundation (trust) schools; one voluntary aided Catholic school; and one free school. Education standards, as judged by Ofsted, range from 'Good' to 'Requires Improvement' and, as at January 2017, pupil numbers range from below 300 in the smallest school to almost 1,300 in the largest. It should be noted that the free school only has four year groups at present, having only been established in 2014. The decline in numbers across Burnley has started to reverse, and there have been increases in the total number on roll in all but two schools in the area in recent years, and this growth is expected to continue based on information contained within the Burnley Local Plan.

The Governing Body of Hameldon Community College wrote to the local authority in March 2017 setting out their concerns in relation to the school meeting its statutory responsibilities and they asked the local authority to consider the long term future of the school.

Consultation

The stage 1 consultation period ran from 11 September to 20 October 2017, during school term time. The consultation document, at Appendix 'B', provided information on how interested parties could share their views on the proposal. Appendix 'C' provides an analysis of the views and responses received and these will be taken into account prior to a decision being made on the publication of a Statutory Notice. During this period, a consultation event was held at the school between 3pm and 8pm on 11 October 2017 for parents, staff, governors and any other interested parties to ask questions and make comments on the proposal. The format of the event was appointment led, although drop in appointments were also available, and was in accordance with the local authority's normal practice as it enabled individual, and sometimes sensitive, issues to be raised and discussed with appropriate officers in a personal and confidential manner. A summary of the notes taken at the event is set out in Appendix 'D'.

Consultation responses

The consultation document asked for views on a proposal on the future of Hameldon Community College. By the close of the consultation period on 20 October 2017, a total of 124 responses had been received by non-pupils, such as staff, parents, governors and members of the community. In addition, the school undertook a consultation with its pupils and 108 responses were received as a result of this. A report summarising all of the responses received by both non-pupils and pupils is at Appendix 'C'. Included within this appendix are six separate responses from the following organisations and members of the community: Burnley FC in the Community; Julie Cooper MP for Burnley; Hameldon Community College Governors; a former pupil; the National Deaf Children's Society; and Burnley Borough Council.

As part of the consultation questionnaire, respondents were asked to comment on what the impact would be on them if the school was to close. As can be seen from page 5 of the report at Appendix 'C', the main concerns were as follows: difficulties relating to travel; disruption to pupils' education; difficulty settling in a new school; and loss of a community asset. Whilst these issues were also raised at the consultation event, comments received also related to the current management arrangements and staffing of the school; the future use of the school site; and the specialist provision currently located at the school. A range of general comments were also received at the event, such as about the consultation process itself. The local authority's response to these issues is set out below.

As well as the issues and concerns being raised, a number of respondents were in support of the school closing, with one stating that they would strongly support the option to close the school and further comments being made that more children will be let down if the school stays open.

In addition to those in support of closure, the most common response from non-pupil respondents was to propose an alternative option for the future of the school, thereby acknowledging that things cannot continue in their current form. Whilst the majority of responses said that the school should stay open, a large proportion suggested that it should focus on a different curriculum or a different type of pupil. As can be seen in the report at Appendix 'C', the most common suggestion was to create a technical or vocational college. Other suggestions included it becoming a faith school; a school to

focus on pupils with behavioural needs; a school to focus on pupils with disabilities; or adding a primary school. A large number of responses also suggested re-branding the school. Further to proposing alternative options for the school, the next most common response was to consider putting a strong leadership team in place. Other suggestions included promoting the school, writing off the financial deficit, or attracting investment.

Local authority responses

The local authority's response to these key issues and concerns being raised is set out below.

Difficulties relating to travel should the school close

The main comments received about travel relate to the following: the perceived financial impact on families who live in a disadvantaged area; the perceived additional time required to get pupils to school on time; and accessibility issues.

Local authority response

The local authority must provide free transport to and from school where secondary age children live more than three miles from the nearest suitable school with available places (Education Act 1996). In addition, the local authority must provide free transport for children from low income families who attend one of the three nearest suitable schools and the school is between two and six miles from home. It should be noted that the pupils currently accessing Hameldon Community College come from a wide geographical area, from across the Burnley, Pendle and Rossendale districts.

The local authority will provide transport assistance to the following groups of pupils who live in Lancashire and attend Hameldon Community College at the time that their year group is scheduled to move to another school:

- Pupils who live over 3 miles* away from the school they move to provided it is their nearest suitable school
- Pupils who live over 3 miles* away from their allocated school even when it is not their nearest suitable school (this is an exception to current policy)

*For those pupils from low income families (these are pupils who are eligible for free school meals or the parents are receiving the maximum amount of working tax credit) then travelling expenses will be awarded where the school they move to is one of their three nearest schools from their home and the distance from home to the school is between two and six miles.

Free transport must also be provided where walking routes are not suitable, regardless of the distance from home to the nearest school. Parents have the primary responsibility for ensuring their child's safe arrival at school and the suitability of routes are assessed on the basis that parents are accompanying their child to school. Whilst lonely routes or those that could pose 'moral dangers' are taken into account, they are not normally classed as unsuitable routes. Footpaths and roadside verges are classed as suitable walking routes subject to verges being wide enough and there being suitable crossing points. The Home to Mainstream School Transport Policy 2017/18 provides specific detail on the assessment of routes for suitability purposes. Parents are able to appeal

to the local authority's Student Support Appeal Committee about home to school transport decisions.

Disruption to pupils' education

The main comments received about the potential disruption to pupils' education relate to the following: the impact on those taking their GCSEs and whether they can stay at the school to do this; staff leaving which is impacting on the curriculum which is being delivered; and the effect on those in Year 10.

Local authority response

Clearly, any school closure does cause a level of disruption to children's education. However, where transfers are carefully planned with receiving schools over a reasonable timescale, the receiving school can prepare for each pupil's admission and pupils can be integrated from the beginning and their educational and pastoral needs can be effectively provided for. Pupils will also be moving with their peers, many to the same school, and this will also aid transition.

Should a final decision be made to close the school, the table below sets out the proposed movement of pupils:

Current year group	Movement of Pupils
Year 7	Will move to other local schools in September 2018 to continue Key Stage 3
Year 8	Will move to other local schools to complete Key Stage 3 in September 2018
Year 9	Will move to other local schools in time to start Key Stage 4 and GCSE options in September 2018
Year 10	Will be given the opportunity to remain on the roll at Hameldon to complete Key Stage 4 and leave 11-16 provision in July 2019
Year 11	Will remain on the roll at Hameldon to complete Key Stage 4 and leave 11-16 provision in July 2018

In this way, the pupils that will be directly affected by any closure of the school would be those in current year groups 7, 8 and 9 who would need to move to an alternative school for September 2018. The current year group 11 will be able to remain at the school until they complete their key stage 4 and take their GCSEs. Arrangements will also be made for pupils in current Year 10 to remain on the roll at the school and complete key stage 4 and their GCSEs. The local authority will ensure that intensive support continues to be provided to Hameldon Community College with the aim of ensuring that the pupils who remain on roll (should the proposals be approved) receive quality education and are not disadvantaged by the impact of closure.

Should the proposal to close Hameldon Community College be approved, all parents of pupils in Years 7 to 9 will be contacted with the options available for securing a place at an alternative school. There is sufficient capacity in other local schools to accommodate the current pupil population. Pupils currently in Year 11 will be unaffected by this proposal as they will have left school by the time any proposals are implemented.

Applications for secondary school are made between 1 September and 31 October each year. As the cabinet decision regarding possible closure will not take place until December 2017, it is anticipated that some parents will submit an application for Hameldon Community College for Year 7 for September 2018. If the proposal to close the school is approved, the parents of any pupils who have expressed a preference for the school will receive a communication from the Pupil Access Team, giving them opportunity to express a further set of preferences for local schools. Parents are free to express a preference for any school and, if places are available, the school will be required to admit pupils.

If parents are unable to secure a place at a preferred alternative school or feel the school offered by the local authority is unsuitable, they can appeal. Parents will also be able to appeal for any other school or academy at which a preferred place cannot be offered. The local authority will strive to minimise the need for any appeals. In the event that any appeals become necessary, the Area Pupil Access Team will provide information and advice to individual families.

Should a final decision be made to close Hameldon Community College, alternative local schools will be able to discuss what GCSE options they propose to offer in future with parents. Parents would be advised to visit / discuss available options directly with other schools before making a decision as to which school to attend.

The educational standards achieved by pupils at Hameldon Community College have been variable over the past 5 years and, in summer 2016, the situation deteriorated even further. The school is no longer in a position to provide an acceptable standard of education and is unable to deliver the required curriculum. In addition, because of the problems which the school has had in recruiting and retaining permanent teachers over many years, we would expect the overall quality of teaching they receive after moving to other schools to improve.

Difficulty settling into a new school

The main comments received about the difficulties pupils will face settling into a new school relate to the following: how pupils with additional support needs will be supported through this process; pupils being stressed and not emotionally able to cope with moving to a new school; and the support and pastoral systems which need to be in place to safeguard the pupils.

Local authority response

It is understandable that moving schools can be unsettling for pupils, however, we will work with the receiving schools to ensure that any disruption is minimised, with planned visits and contact with appropriate staff. If pupils move with their peers to the same school at the same time, it reduces anxieties about integrating with pupils from the receiving school and this should help to alleviate some of the worries. The receiving schools are equipped to support pupils from all backgrounds and all schools will provide 1:1 and small group support where needed.

Information from Hameldon Community College regarding pupils' strengths, weaknesses and current stage of progress will be passed to the receiving schools. This information

will allow these schools to have transition plans in place, including induction activities and team building events. Pupils will be set individual subject targets and their progress tracked closely in line with each school's existing systems.

All schools are allocated resources to meet the needs of pupils with additional educational needs and they also have a named Special Educational Needs Coordinator (SENCO). The SENCO is responsible for identifying the special educational needs (SEN) of pupils within the school, and ensuring that they receive appropriate support to meet these needs.

The SENCOs of receiving schools will liaise with staff from Hameldon Community College to identify the support necessary for each young person with additional needs, ensuring that information is shared and that support is in place. The majority of pupils with additional needs will have those needs met from within the resources available to all schools. The local authority will support the school in the coordination of this.

A minority of pupils who have complex needs will have a Statement of Special Educational Needs (SSENs) or an Education Health and Care Plan (EHCP). This will often mean that the school will receive some additional funding in order to meet these complex needs. Should the school close, the local authority will ask the school to undertake a review for each pupil with SSENs or EHCPs in order to discuss the possible alternative schools with parents and the pupils themselves. The local authority will also support pupils and their families to identify an alternative school which can meet the pupil's needs. They will ensure that any managed move runs as smoothly as possible and that the funding is transferred. They will also issue a new EHCP to name the new setting.

The Information, Advice and Support (IAS) Team is also available to support families of children with SEN.

Loss of a community asset

The main comments received about the loss of a community asset relate to the following: the loss of a great facility which is accessible to the community in a socially deprived area; the loss of sporting and community facilities; and the impact on delivering out of school activities at neighbourhood level.

Local authority response

The local authority recognises that the closure of a school can impact on the wider community. The vast majority of, if not all, schools provide community activities and/or facilities and, if a school is closed, these are normally provided by other schools or are picked up by other organisations in the area.

The community facilities at Hameldon Community College are easily accessible for all families in the area, including those that rely on public transport. However, in order to retain the facilities at the school, they would need to be completely self-funding and self-managing. If any such organisation wishes to inherit the facilities as a community asset it would need to be on the basis that they were operated without the need for revenue funding from either the Borough or the County Council.

Current management and staffing arrangements

The main comments received about the current management and staffing arrangements relate to the following: concerns over not having a permanent Headteacher in place; the impact on staff and the quality of teaching; use of supply teachers and concerns over the quality of these; and the need for a strong leadership team. It should also be noted that there were a number of positive comments from both non-pupils and pupils about the staff at the school.

Local authority response

No decision has yet been made in relation to the future of the school. In the event that a decision is taken to commence a process for closure of the school, staff will be consulted and meetings will take place to ensure that the full process is understood by all staff. If a member of staff has a particular query in advance of any decision being taken, they may contact their trade union representative.

Recent staffing cuts made in an attempt to curb the increase in the school's significant budget deficit mean that the school does not, in our opinion, have the capacity to make the required improvements. The school continues to struggle to recruit and retain good teachers, particularly in shortage subjects such as mathematics, and has been reliant on a disproportionate number of supply teachers to fill staffing gaps (over half of the teaching staff at one stage this year were employed on a daily supply basis), with a resulting negative impact on the curriculum they are able to offer, the quality of teaching, pupil behaviour and, inevitably, upon educational outcomes.

Following the retirement of the Headteacher in August 2016, and bearing in mind the school's budgetary position and uncertainty over its future, an attempt to recruit a permanent replacement Headteacher has been deferred, as it is highly unlikely that governors would be able to recruit someone with the experience and quality that the school needs. Initially, the local authority put an Acting Headteacher in place for the autumn term and then secured leadership from two recently retired Headteachers, sharing the role and paid on a daily consultancy basis. A new Acting Headteacher is currently in place at the school with a commitment to remain in post until the future of the school is determined and permanent arrangements can be made.

The local authority also brought in a senior leader from Thomas Whitham Sixth Form to cover the long-term absence arising from the serious illness of the Acting Deputy Head, who is the only other permanent member of the school's senior leadership team. These measures have successfully managed to steady the situation and engage teaching staff, but concerns remain over the quality of teaching, including from temporary staff. Early indications suggest there has been no overall improvement in the school's results in 2017 exams.

There is evidence that schools with a small number of pupils may experience challenges in providing diversity within the curriculum as school budgets are largely determined by the numbers of pupils on roll. Schools with falling pupil numbers are unable to maintain the same staffing levels as previously, so the choice of subjects may be affected and there may be challenges around staff retention and recruitment. This, in turn, can lead to lower pupil attainment as measured by Ofsted and GCSE results, which often results in lower pupil admissions to Year 7 and leads to an even further reduced budget in the

following year. Once schools find themselves in this cycle, it is very difficult for the situation to be reversed unless there is a rapid and significant increase in pupil numbers across the whole area.

Future use of the site

The main comments received about the future use of the site relate to the following: there still being education provision on this site, as a school or technical/vocational college; rebranding the school; concerns about the ongoing costs of the building; and an ambitious and sustainable use being needed for the building.

Local authority response

There are no plans for the site as yet. The proposal to close the school must be agreed before any decisions are made about the future of the site. The potential future use of the site has not influenced the local authority's decision to consult on the proposal to close the school.

The governing body at Hameldon Community College has expressed concern about the situation at the school. Despite the support that the school has received from the local authority, it has been unable to make sustained improvements over time and the governors felt that it was time to consider the long-term future of the school. The status quo position is not an option due to the issues around pupil numbers, current educational standards and the school's current financial position.

Specialist provision located at the school

The main comments received about the specialist provision located at the school relate to the following: the provision shouldn't be lost but it would be better located elsewhere; parents want the provision but not necessarily at this school; deaf children need support in a unit at a good school; and the school provides the only specialist deaf unit in Burnley.

A response was received from the National Deaf Children's Society, which can be seen in full in Appendix 'C'. However, the key points are as follows: request that the specialist provision be re-established at a different, specifically selected school in the local area and proactively promoted to parents; request that an Equality Impact Assessment is undertaken; concerns about impact on specialist staffing; transition process to a new school; specific consultation with deaf pupils; and newly established provision must have appropriate acoustics.

Local authority response

The local authority's SEND Service will look to identify another high school in the East of Lancashire and relocate the provision of the SERF to this new facility. The local authority welcomes the response from the National Deaf Children's Society and will endeavour to ensure that all the points raised are addressed.

General Comments

The main general comments received relate to the following: the consultation process itself; the lack of support the school has received from the local authority; and positive comments about the school environment.

Local authority response

There is no nationally prescribed format for undertaking the stage 1 consultation other than that this stage must last for a minimum of six weeks. Therefore, it is for the proposer, in this case the local authority, to determine how this stage is undertaken and the level of information shared. The approach taken for Hameldon Community College is in line with that undertaken for other school closures across Lancashire. By producing and distributing a consultation booklet, the local authority was able to clearly set out the key factors which have led to the school being in this position and the reasons why a consultation is required. In addition to the consultation booklet, the local authority also held a consultation event at the school which allowed parents, staff and other interested parties to raise questions and better understand the position of the school. This process is designed to highlight the key issues concerning those affected and to inform the next stage of the process as to whether to proceed with the proposal.

With regard to the support provided by the local authority, this has been significant in terms of both time and professional resources, as well as financial support also being provided. The inspection history of the school since 2007 has been poor, being placed in a category of concern three time and it has never been judged to be good overall. Despite the efforts of the school and the support from the local authority since 2008, the school has been unable to sustain the improvements made over time.

Conclusions

The consultation asked respondents to select their preferred option for the future of Hameldon Community College and the most popular option was to continue as things are, with 56% of non-pupils and 84% of pupils choosing this.

The consultation process highlighted a range of concerns should the school be closed. In the main, these related to the disruption to pupils' education, difficulties relating to travel, difficulties for pupils settling into a new school and the loss of a community asset. In addition, a number of suggestions have been made about securing the future of the school. These include requesting that the school be given another chance to improve or rebranding and reopening the school as a vocational college.

It must be noted that the original issues and concerns held by the local authority in relation to Hameldon Community College remain valid. These are set out in the Cabinet report dated 10 August 2017 and are also in the consultation document. Despite the efforts of the school and the support of the local authority, Hameldon Community College has been unable to make sustained improvements over time. This gives the local authority significant concerns that the school would not be able to make the necessary improvements to educational standards and attract sufficient pupils to ensure they can operate a financially viable school. Therefore, the local authority must take action to address this and meet its statutory duty to secure high quality school places for the residents of Burnley.

If, ultimately, the decision is taken to close Hameldon Community College, the local authority will focus on ensuring parental preferences for alternative school places are met, where possible, and will work with the school to ensure stability in provision during the phased implementation commencing from 31 August 2018. The local authority will work with both Hameldon Community College and the receiving schools to ensure a smooth and successful transition for the pupils moving schools, with the aim being to maintain and improve educational standards for all pupils affected by the closure.

Risk Management

The authority has a statutory duty to secure high quality school places for its residents. A failure to address the decline in educational standards, falling numbers and consequent concerns around the future educational viability of the school runs the risk of the authority being seen by DfE and Ofsted to be failing in its statutory responsibilities. Alternative school places can be secured for current pupils affected by the proposed closure.

There are implications for staff employed in the school but the authority has experience in staff redeployment and retraining and a good record in avoiding compulsory redundancies. Currently, almost half of the staff in the school are either temporary or employed on a daily supply basis.

Financial Implications

When a school is closed by an authority, any balance (whether surplus or deficit) reverts to the authority. The authority cannot transfer a closing balance to an individual school, even when that school is a successor to the closing school, except that a surplus or deficit transfers to an academy where a school converts to academy status under section 4(1)(a) of the Academies Act 2010.

Current Education and Skills Funding Agency (ESFA) guidance states that any deficit balance on a closing school is the responsibility of the authority. The Lancashire Schools Forum has an established reserve for some strategic school deficits. The authority will continue to receive Dedicated Schools Grant (DSG) funding for the pupils when they relocate to new schools within the county.

The school premises were built as one part of the phase 3 Building Schools for the Future (BSF) project that was funded via Private Finance Initiative (PFI). This means that there are risks associated with the financing of the current annual PFI contract of £4.1m if the premises do not remain in use for educational purposes.