

**DUDLEY METROPOLITAN BOROUGH**  
**COUNCIL**  
**DIRECTORATE OF CHILDREN'S**  
**SERVICES**

**Response to Objections on School**  
**Organisation Proposals**

**Closure of Highfields Primary School**

**26 January 2006**

# **CONTENTS**

|  | <b><u>Page</u></b> |
|--|--------------------|
| <b>1. School Organisation proposals</b>  | <b>3</b>           |
| <b>2. Introduction – Context</b>   | <b>4</b>           |
| <b>- Highfields Primary School</b>   | <b>8</b>           |
| <b>3. Assessment of the Proposal - The Secretary of State's Guidance to Decision Makers on Statutory Proposals</b> | <b>11</b>          |
| <b>4. Education Department Response to Objections</b>  | <b>32</b>          |
| <b>5. Conclusion</b>   | <b>52</b>          |

## **1. THE SCHOOL ORGANISATION PROPOSALS**

### **1.1. It is proposed:**

to discontinue Highfields Primary School, Bell Street, Coseley, Bilston, West Midlands, WV14 8XJ with effect from 31 August 2006

Parents of children attending Highfields will be offered places at alternative nearby schools including Christ Church CE, Wallbrook and Hurst Hill. Subject to School Organisation Committee decisions, individual support will be provided for parents with regard to the options available and any specific assistance required.

It is expected that most pupils will attend Christ Church CE Primary and a building programme is planned to increase capacity to 420 places for girls and boys aged 5 – 11. Provision for younger pupils will continue. The new buildings are scheduled for completion before the end of 2006. This will require the Highfields building to continue as an annex of Christ Church CE Primary until the new extension is completed. It is anticipated that children and staff using the Highfields buildings from 1 September 2006 will transfer to the completed accommodation on the Christ Church site from 1 January. The date will be confirmed as the building programme progresses and in agreement with Christ Church CE Primary.

The governing body of Christ Church CE Primary have committed to working with Highfields to develop a staffing structure required to maintain two sites for a limited period and for consolidation onto the Christ Church site. Commitment has also been given to ring fencing posts in this staffing structure for Highfields staff. It is anticipated that appointments will be made where there is a good match.

Where parents opt for places in schools other than Christ Church CE Primary they would be expected to transfer to their new schools from 1 September. All parents of pupils displaced from Highfields, as with other schools proposed for closure, will be entitled to financial support to ensure any uniform or other equipment is provided as a one-off. This is intended to support immediate integration into new surroundings. Additional strategies will also be developed between Highfields and alternative schools to support smooth transition prior to 1 September. Christ Church CE has already been pro-active in communicating with Highfields parents.

The governing body of Christ Church CE will be responsible for all matters relating to the maintenance of two sites from 1 September 2006. Dudley Council will provide support for all staff in finding alternative posts either as part of Christ

Church CE or other Dudley Schools or elsewhere. It is not anticipated that there will be any requirement for compulsory redundancies arising from the Primary Schools Review.

## **2. INTRODUCTION**

### **Context**

- 2.1 Dudley has managed numerous changes to the pattern of schooling at several critical points over the last 60 years. Political, educational and demographic changes have led to the building of new schools, changing their sizes and closing schools. Dudley is now facing again the need to change and, with the benefit of much better information, can respond with a degree of certainty to meet the needs of children for the next 20 – 30 years. A record of school changes that have taken place in Dudley is currently being assembled. The latest information on these changes is included in Annexe 4 as a work in progress list.
- 2.2 The surplus of places in the Borough's primary schools was highlighted in an external consultancy report by KPMG in 1999, and in the OFSTED Inspection Reports of 2000 and 2002. The more general outcomes of the OFSTED inspection in 2000 caused a delay in the implementing of a full review and action plan, although the need for such a review featured in the Post OFSTED Action Plan in 2000 and 2002.
- 2.3 Consultation on specific school proposals was carried out in 2002. Responses were received from Headteachers, governors, councillors, parents and others. The consultation led to action in several cases including further consultation on the establishment of a new Voluntary Aided (VA) school for Halesowen to replace two existing schools, Halesowen CE and Hasbury CE Primary Schools.
- 2.4 The annual birth rates (using academic year September - March) in Dudley have reduced from 4,116 in 1990 to 3,344 in 2003. There was a slight increase to 3,514 in 2004 but long-term projections indicate annual births of around 3,300. The live birth figures are included in appendix H. This is a major problem for all Dudley schools because the amount of money Dudley receives through the Council's revenue grant from government is based on the number of pupils attending schools. As the pupil numbers fall the level of government grant falls and school budgets have less capacity to meet the costs of providing education.
- 2.5 The Department for Education and Skills (DfES) sets the minimum education budget for Dudley based on the number of pupils attending its schools. As the demand for places falls, schools will receive proportionately lower budgets,

adding significantly to the difficulty for schools of meeting the costs of the quality of education to which all pupils are entitled.

- 2.6 The total number of pupils attending Dudley primary schools is falling by around 400 per year. Based on the numbers of children already born, primary pupil numbers in Dudley schools are projected to fall by a further 2,358 (almost 10%) between 2005 and 2010 before the total number stabilises at this low level.
- 2.7 The reduction of 2,358 primary pupils will lead to an annual fall in the Council's revenue grant funding from the DfES and a reduction of £7.8m by 2010, at current prices. The figure of £7.8m is based upon a current 'per pupil' unit funding of £3,329, the DfES baseline assessment for a 'Dudley' pupil in 2005 which will be applied for calculation of the Dedicated Schools Grant (DSG) for 2006 onwards. This data has just been released by the DfES to enable the Council to model future budget scenarios.
- 2.8 The primary sector delegated budget in the current financial year is £71.3m or 49% of the total resources delegated to schools. If the current provision of 82 primary schools were maintained with 2,358 fewer primary pupil places, it is estimated that each primary school budget would be reduced by an average of 10% by 2010. Individual primary school budgets currently range from £0.5m to £1.9m. Therefore schools could expect to see an average annual budget reduction ranging from £50,000 to £190,000 by 2010. With a projected 5,000 surplus places in the system some schools would experience much greater reductions and also considerable year-on-year instability. This is not in the best interests of children.
- 2.9 Dudley primary schools currently spend their delegated resources in the following proportions:

|                       |     |
|-----------------------|-----|
| Staff                 | 83% |
| Premises              | 6%  |
| Supplies and services | 11% |

Premises costs are largely fixed and there is limited scope for reductions in services, learning materials and other supplies. The main focus for balancing budgets is therefore likely to be in the largest area of expenditure, which is staffing. If the £7.8m reduction were directed at staffing in primary schools, this would equate to an indicative reduction of 230 posts in schools, or more than 10% of the current workforce in primary schools.

- 2.10 It has now become imperative to take action to ensure that the pattern of primary school provision is cost effective, with only sufficient surplus places to allow a degree of parental preference and in order to cope with any unplanned expansion. It is important to say that these proposals for Highfields Primary School combined with the other changes will affect every primary school in the Borough, by ensuring that money is not wasted on maintaining surplus places but directed to the education of children.
- 2.11 The Dudley Cabinet Member for Education and Lifelong Learning approved the start of a consultation process on proposals to change the existing pattern of primary school provision in Dudley. The initial consultation started on 12 September and ended on 21 October. The consultation was based on three documents; Learning for the Future Primary School Review Consultation Document, Consultation Summary and Response Form. Paper copies of the documents were circulated widely and posted on the Council website [www.dudley.gov.uk](http://www.dudley.gov.uk). The consultation process involved a series of meetings with parents, staff and governors in those schools most affected. Additional meetings were convened on request. There has been a high volume of telephone calls, letters, emails, response forms and other correspondence as set out in the Cabinet Report, Appendix 1 and Appendix 2 included as Annex 5.
- 2.12 The total number of returned questionnaires 778. A return rate of 7.07% from the 11,000 copies distributed and easily accessible via the website. Of these, 126 respondents made general comments or no comments. Responses were received with reference to 73 of the 82 primary schools. The 126 respondents in the 'none' category gave a higher 'yes' response to all questions. The highest number of responses (386 almost 50% of total question responses) came from schools where either closure or amalgamation was proposed. The 'no' percentage responses from this group tended to be higher than the 'yes' responses for questions 1, 3, and 4. Similarly the remaining 169 respondents from representatives of schools where there were no changes proposed or an adjustment in admission numbers, gave a higher 'yes' response. Further details of the responses are listed in Appendix 2 included in Annex 5 and all of the responses are available as a public record. Given the importance and the urgency of the need to address the financial implications of the surplus places in Dudley schools the level of response is at best disappointing.
- 2.13 The proposals outlined in the consultation documents emerged from previous consultations on principles and process. The proposals reflected the need to address the serious issue of over 5,000 surplus primary places by 2010. This projection is based on over 2,000 surplus places already existing in 1997, numbers attending primary schools, and birth rates.

2.14 In-flow and out-flow of pupils to other Boroughs is projected to continue unchanged. However, this is the most optimistic position as other Boroughs are experiencing the same trends in birth rate as Dudley. In this situation even if the same percentage of the total number of pupils resident in other authorities continued to attend Dudley schools the actual number of pupils would reduce. Other authorities are expected to take action to ensure that they retain as many of their resident pupils as possible. This includes substantial capital investment in new schools and the reviews of school provision. For example, the Archdiocese of Birmingham has started a review of primary and secondary provision, which covers a number of local authorities including Dudley MBC.

2.15 During the consultation process, several alternative proposals were suggested. In addition, the Secretary of State announced that Dudley had made a successful bid for over £8 million to replace Wrens Nest Primary School and Old Park Special School. The alternative proposals have been considered carefully and where appropriate revisions were included in the Report to Cabinet of 17 November.

2.16 The Primary Schools Review is part of 'Investing in the Future' (IIF), a wide-ranging planning framework designed to link a series of national and local initiatives into a coherent and manageable development programme. The initiatives that will impact directly on provision for children include:

- Pre-school settings;
- Children's centres;
- Primary Schools Review;
- Secondary Review (including 14 – 19 strategy);
- Specialist schools;
- SEN strategy;
- Extended schools;
- Integrated children's services; and
- Community use including leisure, libraries and lifelong learning.

(IIF was previously known as 'Learning for the Future', but with the development of joined up children's services it is important that the major policy framework should not be perceived as being limited to learning.)

2.17 The Primary School Review also takes full account of the long term planning for Dudley, the Black Country and the West Midlands. The proposals in Appendix 2 take account of the relevant elements of the Unitary Development Plan, Local Transport Plan and in the emerging Black Country Study and Regional Spatial Strategy.

- 2.18 The publication of statutory notices was undertaken in line with decisions made by the Cabinet. The period for publication and representations to be made began on 21 November 2005 and ended on 2 January 2006. Arrangements were made to receive representations on the 3 January due to any difficulties experienced during the holiday period.

### **Highfields Primary School**

- 2.19 Highfields Primary School is situated on the edge of the Borough's northern boundary. The main school building was erected in the 1970s.

#### **2.20 School Facilities and Condition**

A number of the areas within the building have been assessed as unsuitable for the purpose that they are supposed to serve.

Three classrooms are below the DfES recommended sizes. They are cramped with inadequate storage facilities. In addition, there are irregular shaped teaching spaces and poor access to toilets and cloaks areas.

- 2.21 The condition survey on the building, carried out in September 2002, listed necessary repairs amounting to approximately £35,000. These included: repairs to internal walls and doors, redecorations, mechanical services, electrical services, floor and stairs and ceilings and sanitary elements.
- 2.22 In accordance with DfES requirements the school was surveyed in November 2004 against suitability criteria. The survey confirmed that there were shortfalls of accommodation in the following areas
- a) Lack of natural light to Administration office
  - b) Average classrooms sizes of 49m<sup>2</sup> (against DFES ideal of 60m<sup>2</sup>)
  - c) Irregular shaped classrooms making teaching difficult
  - d) Solar heat gain and solar glare through windows of some teaching spaces
  - e) Shortfall in number of toilet facilities for pupils
  - f) Lack of Wet Areas for practical work to a teaching space  
No direct access for Reception children to toilets and cloaks areas
  - g) Considerable shortfall in staff workspace and administration areas

#### **2.23 Financial Considerations**

Overall Dudley primary schools have capacity for 29,513 pupils, of which 3,309 surplus places (11.2%) were available in January 2005.



School funding at local authority level is driven by the number of pupils on roll annually, and the year-on-year fall in numbers leads to an ongoing decrease in the overall schools' budget, the Individual Schools Budget (ISB). With effect from April 2006 this will be separated from the overall local authority budget and will be allocated as a separate grant, the Dedicated Schools Grant (DSG).

Based on the numbers of children already born, the number of primary pupils in Dudley is projected to fall by a further 2,358 by 2010. This will result in an annual fall in grant funding received from the DfES in excess of £1m per year. By 2010, using the current unit per pupil funding of £3,329, primary schools will receive £7.8 million less than in 2005/06, a reduction of 9%.

## 2.24 Surplus Places

There are currently 67 surplus places across the three alternative schools, although it is planned to increase the number of available places to approximately 171 as a result of an increase in the net capacity of both Christ Church CE and Wallbrook Primary schools.

| School Name   | No. of pupils<br>* Jan 2005 | No. of pupils<br>** Jan 2006 | Net Capacity | Net Capacity<br>(planned) | Surplus Capacity<br>* Jan 2005 | Surplus Capacity<br>** Jan 2006 |
|---|-----------------------------|------------------------------|--------------|---------------------------|--------------------------------|---------------------------------|
| Highfields Primary School   | 171                         | 147                          | 210          |                           | 39                             | 63                              |
| Christ Church CE  | 335                         | 337                          | 315          | 420                       | 0                              | 0                               |
| Wallbrook   | 275                         | 276                          | 280          | 315                       | 5                              | 4                               |
| Hurst Hill  | 404                         | 371                          | 434          | 420                       | 30                             | 63                              |
| Total<br>(Alternative Schools)  | 1014                        | 984                          | 1029         | 1155                      | 35                             | 67                              |
| * Source: DfES Pupil Level Annual School Census (PLASC) Reception to Year 6 Count Jan 2005<br>** Source: Directorate of Children's Services (provisional figures subject to verification in School Census 2006) |                             |                              |              |                           |                                |                                 |

### **Alternative Provision**

The potential number of children who would be displaced from Highfields Primary at the time of closure totals approximately 137. This figure is calculated using current pupil numbers in Reception to Year 5, together with a new Reception

intake estimate (based on the current Reception number). Therefore it is anticipated that all pupils, either current or potential can be accommodated in alternative provision once the additional capacity is available.

2.25 Analysis of the distance travelled by pupils attending Highfields Primary indicates that on the whole there is little negative impact on these pupils travelling to the alternative schools proposed, with 89% of pupils within 1 mile of Christ Church compared to 92% within 1 mile of Highfields. Further analysis shows that only 9 pupils (5% of the total) live greater than 1 mile from one of the 3 alternative schools. These proposals are consistent with the principles and statements of intent set out in the Primary Review Refresh 2004 Consultation.

## 2.26 Other Options

- Federation
- Reduction of capacity
- Closure of other schools
- Amalgamation

Federation or amalgamation with other schools in Dudley was considered. There is capacity for 210 pupils at Highfields measured using DfES methodology. The number of pupils attending Highfields has fallen from 198 in January 1997 to 171 in January 2005 resulting in 39 surplus places. The current number of pupils attending in January 2006 is 147 and the number of surplus places has grown to 63. With these low numbers, the school budget would not be sufficient to meet the costs of the staffing, supplies and services and accommodation. The potential saving of one headteacher post through a federation or similar arrangement would not be sufficient to meet the overall costs of provision. Inevitably, the quality of provision would be affected as additional reductions to staffing would increase class sizes and require mixed age and possibly mixed key stage teaching. The money available for supplies and services and accommodation would also be reduced to balance the budget with additional impact on the quality of provision. Federation could not achieve significant reductions in revenue costs or improve accommodation at Highfields.

If the capacity were reduced at Highfields to match the demand for places the financial pressures still exist. The budget is calculated on the number of pupils attending and this will continue to fall. The money available on staffing, supplies and services and accommodation will reduce with the inevitable impact on quality of provision, class sizes and staff workloads. It is possible to use spare accommodation for other purposes to offset the overall costs of maintaining the site. However, the opportunities for joint use of the site are limited by the capacity of the local area to meet the market costs of accommodation. The local

area is one of the most deprived areas in Dudley with little potential to provide the level of income that the school would need. There are also limitations regarding the nature of additional uses due to the likelihood of close contact with children and their families. Vehicle access and parking are also limited. There is no realistic possibility of reducing the capacity and securing sufficient income to cover the total costs of providing the quality of education to which children are entitled.

The nearest schools were also considered for closure, capacity reduction and amalgamation. Christ Church CE is popular in that it has gradually increased the number of children attending from 258 in January 1997 to 335 in January 2005. This is 20 over capacity which reflects the number of successful appeals. Reducing the capacity to 210 places for example, would have a greater affect on a larger number of pupils and their families in terms of disruption and preference for places. Similarly, Wallbrook is popular in that the number of pupils attending has increased from 259 in January 1997 to 275 in January 2005, very close to its capacity of 280. Hurst Hill has seen a reduction in the number of pupils attending from 461 in January 1997 to 404 in January 2005. Reducing the capacity in any of these schools would have led to greater disruption for a higher number of pupils and could not guarantee that parents would send their children to Highfields.

Closure of any other schools in the area would have created a shortage of places in the area, more travel for more families and resulted in additional costs.

The proposal to close Highfields Primary will enable all of the pupils in the local area to attend a larger school with a broader range of staff expertise and facilities.

## 2.27 Employees

In previous reorganisations there have been no compulsory redundancies in Dudley. Similarly, there is no anticipated requirement for redundancies arising from the Primary Schools Review. Every effort will be made to redeploy existing staff within the partner school, other schools within Dudley or to opportunities that exist across the wider council or elsewhere. Given the turnover rates in the various job roles within schools, it is expected that all staff who wish to continue employment in other schools will be able to do so.

## 3. **ASSESSMENT OF THE PROPOSAL**

The School Organisation Committee in assessing this proposal should consider the following:-

- The Secretary of State's Guidance for Decision Makers on Statutory Proposals
- The views expressed during the Consultation Process regarding this Proposal particularly from Governors, Staff and Parents of pupils attending or intending to attend Highfields Primary School
- The Borough's School Organisation Plan
- Equal opportunities, Race Discrimination, Disability Discrimination and Human Rights Aspects
- Any other relevant factors concerning these specific proposals

In addressing these factors this report follows the Secretary of State's Guidance and applies that Guidance where relevant and appropriate.

It is intended that the thrust of the substantial objections to this proposal will be represented firstly within the body of this report, but for completeness, on pages 32 to 52 is a summary of each of the individual objections raised together with the Directorate of Children's Services response. Further, all of the objection letters, together with correspondence arising from the consultation process are being copied to members of the Committee.

## **EFFECT ON STANDARDS AND CONTRIBUTION TO SCHOOL IMPROVEMENT**

In this respect the following factors are identified:-

- Whether the proposals will improve the standards, quality, range and/or diversity of educational provision in the area;
  - The standards of education in existing and proposed alternative provision, and, particularly in the case of nursery schools, that the alternative provision will be able to maintain or enhance the standards of education provision;
  - The effect of the proposals on other institutions
1. The opportunity for the integration of Highfields Primary School pupils into Christ Church CE Primary School will enable pupils to access a wider curricular provision and nursery / Foundation Stage education all at one school. Currently, children at Highfields do not have access to Foundation Stage education delivered as a whole.

2. Pupils attending the new enlarged Christ Church CE Primary School would have the added benefit of having all their education from 3 – 11 in the same establishment, with all of the continuity and other benefits such as brothers and sisters in the same school.
3. Following the consultation, pupils whose parents would wish to transfer their children to another school in the area would be able to do so. This would allow them to exercise parental preference in their choice of school.
4. The Directorate of Children's Services believes that the education provision that will be available at Christ Church CE Primary School would be of good quality as evidenced in OFSTED inspection.
5. In closing Highfields Primary School and relocating to join Christ Church CE Primary School, children will be offered continuous education from 3 - 11, a broader range of well-trained staff, and improved resources. However, if parents wish their children to transfer to an alternative school then all of the schools in the local area where there are places would be willing to accommodate them.

#### **STANDARD OF ACCOMMODATION AND CONDITION OF FACILITIES**

1. The building occupied by Highfields Primary School was erected in the 1970s and the latest condition survey, carried out in September 2002, identified necessary repairs amounting to £34,833 with £3,313.00 of this to be carried out within 2 years. This is not a significant total when compared to many schools and reflects the overall quality of stewardship exercised by schools and Dudley Council over the years.

Outstanding repairs listed;

Priority 2:

|                          |                  |
|--------------------------|------------------|
| Ceilings                 | £332.00          |
| Internal walls and doors | £687.00          |
| Electrical Services      | £344.00          |
| Redecorations            | £915.00          |
| Roofs                    | <u>£1,035.00</u> |
| TOTAL Priority 2         | £3,313.00        |

Priority 3:

|                          |           |
|--------------------------|-----------|
| Floors and Stairs        | £7,007.00 |
| Ceilings                 | £1,155.00 |
| Internal Walls and Doors | £177.00   |

|                   |                   |
|-------------------|-------------------|
| Sanitary Services | £296.00           |
| Redecorations     | <u>£22,885.00</u> |
| TOTAL Priority 3  | £31,520.00        |

Even if all of the repairs identified were carried out, a significant number of areas of the building would remain unsuitable for the purpose as defined using DfES suitability criteria. The school's suitability survey identifies several areas of the building as 'unsuitable'. The suitability survey grades rooms / areas according to the detrimental effect they have on education in the premises in the following ways:

|            |   |   |
|------------|---|---|
| Category A | - | Unable to teach curriculum                                  |
| Category B | - | Teaching methods inhibited                                  |
| Category C | - | Management or organisation of school affected adversely     |
| Category D | - | Pupil or staff morale or pupil behaviour affected adversely |

Highfields Primary School has a significant number of areas in categories B, C and D:

|   |   |
|---|---|
| Lack of appropriate front entrance with risk to security      | C |
| Lack of natural light and ventilation to Administration areas | D |
| Classroom 02 too small  | B |
| Classroom 04 too small  | B |
| Irregular shaped classroom to 05 making teaching difficult    | B |
| Irregular shaped classroom to 06 making teaching difficult    | B |
| Solar glare and heat gain to IT Suite                         | B |
| Lack of wet area for sand and water play to Reception Class   | C |
| No direct access for Reception pupils to toilets and cloaks   | C |
| Shortfall in Staff Workspaces and Administration Areas        | D |
| Shortfall in number of toilet facilities for pupils           | D |

All of the points above were reached in collaboration with and agreed by the school staff.

## 2. Proposal for Extension Works and Re-modelling at Christ Church CE Primary and Wallbrook Primary Schools

Dudley Council has identified in its proposals the choice of alternative pupil places at Christ Church CE, Wallbrook or Hurst Hill Primary Schools. As Christ Church CE and Wallbrook Primary Schools are in the closest proximity to the existing Highfields Primary School, work has commenced at both of these schools and in consultation with the Headteachers and Governing Bodies to allow the capacity of the existing buildings to be

increased by increasing the size of the buildings and to offer improved teaching facilities at both schools.

Additional capacity will be created at Christ Church CE Primary School to 420 pupil places and Wallbrook Primary School to 315 places.

Design work for both projects is continuing in consultation with Headteachers and Governing Bodies and will ensure that appropriate and sufficient accommodation will be provided with all new build proposals adhering to the design guidance issued by the Department for Education and Skills (DFES). Teaching and learning will be delivered in all parts of the curriculum in spaces of appropriate size, location and with the correct furniture and equipment therefore addressing the suitability issues identified at Highfields Primary School.

The design brief for the project at Christ Church CE Primary School includes the construction of four new classrooms, additional toilet facilities, disabled persons toilet, quiet work spaces and disabled persons access lift and initial costs value the project at £940,000. Improvements to Vehicular and pedestrian access to the school are also being explored in consultation with Highways Engineers. Funding for the project will be through utilising Basic Need formula capital grant awarded 2003/04 and New Pupil Places formula capital grant 2004/05 with an allocation from the School of approximately £41,278 for devolved formula capital grant 2006/07 and £43,574 for 2007/08.

The design brief for Wallbrook Primary School includes the construction of three new classrooms, additional toilet facilities to Nursery and re-modelling to existing areas and initial costs value the project at £ 650,000. Funding for the project will be by the Authority utilizing Basic Need formula capital grant awarded 2003/04 and New Pupil Places formula capital grant 2004/05 with an allocation from the School of approximately £33,348 for devolved formula capital grant 2006/07 and £35,384 for 2007/08.

These schemes are consistent with the stated aims of removing surplus places whilst creating a pattern of sustainable school and improved facilities wherever possible

### **NEED FOR PLACES**

In assessing the level of need the Guidance directs decision makers to consider:-

- The overall supply and likely future demand for places;
- Whether there is sufficient capacity to accommodate displaced pupils in the area;
- Whether the proposals will reduce the proportion of denominational places.

Schools which have a large number of surplus places or high-cost maintenance buildings use up valuable funding unnecessarily with no added benefits to pupils. This is why the Directorate has undertaken this review of primary provision in Dudley to achieve maximum efficiency and, therefore, maximum effectiveness by ensuring resources are used primarily to deliver the curriculum and educate its pupils.

Dudley has managed numerous changes to the pattern of schooling at several critical points over the last 60 years. Political, educational and demographic changes have led to the building of new schools, changing their sizes and closing schools. Dudley is now facing again the need to change and, with the benefit of much better information, can respond with a degree of certainty to meet the needs of children for the next 20 – 30 years.

The surplus of places in the Borough's primary schools was highlighted in an external consultancy report by KPMG in 1999, and in the OFSTED Inspection Reports of 2000 and 2002. The more general outcomes of the OFSTED inspection in 2000 caused a delay in the implementation of a full review and action plan, although the need for such a review featured in the Post OFSTED Action Plan in 2000 and 2002.

Consultation on specific school proposals was carried out in 2002. Responses were received from Headteachers, governors, councillors, parents and others. The consultation led to action in several cases including further consultation on the establishment of a new Voluntary Aided (VA) school for Halesowen to replace two existing schools.

The annual birth rates (using academic year September - March) in Dudley have reduced from 4,116 in 1990 to 3,344 in 2003. There was a slight increase to 3,514 in 2004 but long-term projections indicate births of around 3,300. The DfES sets the minimum education budget for Dudley based on the number of pupils attending its schools. As the demand for places falls, schools will receive proportionately lower budgets, adding significantly to the difficulty for schools of meeting the costs of the quality of education to which all pupils are entitled.

Based on the numbers of children already born, primary pupil numbers in Dudley schools are projected to fall by a further 2,358 (almost 10%) between 2005 and 2010. The reduction of 2,358 primary pupils will lead to an annual fall in the Council's revenue grant funding from the DfES and a reduction of £7.8m by 2010, at current prices. The figure of £7.8m is based upon a current 'per pupil' unit funding of £3,329, the DfES baseline assessment for a 'Dudley' pupil in 2005 which will be applied for calculation of the Dedicated Schools Grant (DSG) for 2006 onwards. This data has just been released by the DfES to enable the Council to model future budget scenarios in confidence.



The primary sector delegated budget in the current financial year is £71.3m or 49% of the total resources delegated to schools. If the current provision of 82 primary schools were maintained with 2,358 fewer primary pupil places, it is estimated that each primary school budget would be reduced by an average of 10% by 2010. Individual primary school budgets currently range from £0.5m to £1.9m. Therefore schools could expect to see an average annual budget reduction ranging from £50,000 to £190,000 by 2010. With a projected 5,000 surplus places in the system some schools would experience much greater reductions and also considerable year-on-year instability. This is not in the best interests of children.

Dudley primary schools currently spend their delegated resources in the following proportions:

- Staff 83%
- Premises 6%
- Supplies and services 11%

Premises costs are largely fixed and there is limited scope for reductions in services, learning materials and other supplies. The main focus for balancing budgets is therefore likely to be in the largest area of expenditure, which is staffing. If the £7.8m reduction were directed at staffing in primary schools, this would equate to an indicative reduction of 230 posts in schools, or more than 10% of the current workforce in primary schools.

It has now become imperative to take action to ensure that the pattern of primary school provision is cost effective, with only sufficient surplus places to allow a degree of parental preference and in order to cope with any unplanned expansion. It is important to say that these proposals will affect every primary school in the Borough, ensuring that money is not wasted on maintaining surplus places but directed to the education of children.

The very high number of surplus places locks in substantial resources. These proposals will unlock these resources and enable schools to make better use of money already available. This will allow a switch of money from surplus places to other areas such as staffing, accommodation or learning resources.

The costs of larger accommodation changes will be met from Dudley's Capital Programme and successful applications for government funding for new schools. Dudley has already succeeded in securing millions of pounds for building and modernising schools. The government has recently announced a massive increase in the level of funding available for new primary schools and Dudley will be well placed to take advantage of this new opportunity.

There will be sufficient places in local schools for children displaced from closing schools. In some cases this will require additional accommodation and this is being planned now. There will be no certainty in numbers until parents express preferences for places in other schools. The accommodation changes will be planned to make sure there are enough places in the right schools at the right time – that is from September 2006 and in subsequent years.

Whilst parents have yet to indicate their preference, there is no suggestion that the local denominational schools will be adversely affected in any way by these proposals.

## **FINANCE**

In relation to the financial effects of the proposal the Secretary of State's Guidance requires the Committee to consider the following:-

- Whether the proposals represent a cost-effective use of public funds;
- Whether the capital resources required are available
- Whether the sale proceeds of redundant sites are to be made available and whether the Secretary of State's consent has been obtained where necessary.

### **Revenue funding**

In 2005/06, Highfields received delegated funding via the Fair Funding Formula of £498,630, Standards Fund Grants of £47,889 and Schools Standards Grant of £20,000.

A significant proportion of this funding is likely to follow pupils as they are re-located, but non-pupil led funding will be available for re-distribution within the ISB following the closure of the school.

For 2006/07, 7/12<sup>ths</sup> of these allocations are estimated to be approximately £49,000 and could be re-distributed within the Individual Schools Budget if the Highfields site ceased to exist from 1st September 2006. However, as the Highfields site is likely to remain open until December 2006 when additional capacity at Christ Church CE is available, then first call on these funds will be required to cover premises costs incurred by the Highfields site until its final closure.

In a full year, the effect of these non-pupil led allocations is estimated to be approximately £85,000.

## **Capital funding**

For 2006/07, the formula for devolved capital will be a lump sum of £17,000 for primary schools and an amount of £61 per primary pupil. Therefore for 2006/07, Highfields has an estimated devolved formula capital budget of £29,000. Further guidance is being sought from the DfES regarding the position on the possible re-allocation of devolved formula capital grant for those schools that close mid-year.

At December 2005, Highfields held a balance of uncommitted devolved formula capital of £12,000. If this remains unspent, it can be used by the LEA on other priority capital works at schools, including any of the local schools requiring expenditure to accommodate Highfields pupils. This also applies to Highfields buildings as an annex of Christ church CE Primary.

The projected allocation of devolved formula capital for Highfields Primary School for financial year 2006/07 is £28,712 and £30,596 for 2007/08 based on current number on roll. Whilst the full allocation would be available if no further works are carried out up to the date of closure, as there is a possibility that the buildings remain as an annex until the extension works are complete at Christ Church CE and Wallbrook Primary Schools, savings in future years are not clear. Also, the current buildings need to be maintained to an acceptable level so expenditure of some of this grant may be required. As the allocations are based on projected number on roll, the actual amount will not be known until each financial year.

An estimated budget cost for extension works at both Christ Church CE Primary School and Wallbrook Primary School of £940,000 and £650,000 respectively has been included in the Authority's capital programme and is being funded as follows:

### **Christ Church CE Primary:**

|   |                 |
|---|-----------------|
| Basic Need formula capital grant 2003/04/New Pupil Places 2004/05 | £ 855,148       |
| Schools devolved capital allocation (indicative) 2006/07          | £ 41,278        |
| Schools devolved capital allocation (indicative) 2007/08          | <u>£ 43,574</u> |
| Total   | £940,000        |

### **Wallbrook Primary School:**

|   |                 |
|---|-----------------|
| Basic Need formula capital grant 2003/04/New Pupil Places 2004/05 | £581,268        |
| Schools devolved capital allocation (indicative) 2006/07          | £ 33,348        |
| Schools devolved capital allocation (indicative) 2007/08          | <u>£ 35,384</u> |
| Total   | £650,000        |

## **Unit Cost Comparison**

The unit cost per pupil at Highfields for 2005/06 was £2,916 compared with the average unit cost per pupil for the primary sector of £2,572. This represents an increase of 13% above the average unit cost and poor value for money. These high revenue costs are not sustainable.

## **Reserves**

At November 2005 Highfields had reserve balances of £45,957.

## **Use of Capital Receipts**

The Council at its meeting on 18<sup>th</sup> July 2005 resolved that “the use of capital receipts, arising from the implementation of specific proposals under the review of the Primary Schools sector for utilisation to help ensure that all Primary School education takes place in high quality buildings, as referred to in paragraph 2.6.1 of the report, to be approved and included in the Capital Programme.”

## **Proceeds of Redundant Site**

This proposal is not dependant on the proceeds from the sale of Highfields or any other site. There is no requirement therefore to include this as a financial consideration or to obtain Secretary of State consent.

## **VIEWS OF INTERESTED PARTIES**

Clearly the Committee must have regard to the wide range of views that have been expressed in relation to this proposal.

## **Approach to the Consultation**

### **Background**

The surplus places in the Borough's primary schools were highlighted in an external consultancy report by KPMG in 1999, and in the OFSTED Inspection Reports of 2000 and 2002. The wider outcomes of the OFSTED inspection in 2000 caused a delay in the implementation of a full review and action plan, although the need for such a review featured in the Post OFSTED Action Plan in 2000 and 2002.

Consultation on specific school proposals was carried out in 2002. Responses were received from Headteachers, governors, councillors, parents and others. The consultation led to action in several cases including further consultation on the

establishment of a new Voluntary Aided (VA) school for Halesowen. These actions partially addressed the situation but much more remained to be done.

By 2004, the need for action was becoming critical. A further process was initiated as part of the planning framework Learning for the Future. This process was supported by detailed preparation and a further consultation on specific school proposals. Learning for the Future: Primary Schools Review Consultation Document sets out proposals to change the provision of primary school places. The proposals have developed from:

- Consultation on specific school proposals in 2002;
- Further consultation on Halesowen CE and Hasbury CE Primary school proposals;
- Primary Review Refresh 2004 consultation on principles and statements of intent;
- Briefing meetings with Headteachers, governors and councillors during February and March 2005;
- Further consultation in June and July 2005 with Headteachers, chairs of governors and councillors on the approach to further consultation on school specific proposals.

(Additional information to inform the process was posted on the Dudley Website)

### **Initial Consultation 12 September – 21 October**

Following a decision to start consultation on primary school review proposals a series of meetings were held with individual Headteachers to support the process of informing staff, parents and children. Letters were sent to all parents informing them of the start of the consultation and details of consultation meetings. Copies of the Consultation Document were available in schools from 12 September 2005 and posted on the Dudley Council website. Briefings were also arranged for Union representatives, Members of Parliament and the media.

A copy of the consultation document was sent to the Directorate of Education and Lifelong Learning's consultees, which includes all schools in Dudley, their Headteachers and chairs of Governing Bodies, Dudley MBC Councillors and key partnering agencies. In addition a letter of invitation was extended to all parents to make a response through the questionnaire copies of which were distributed to every school and further copies available on request. Copies of the documents were also published on the Dudley Council website.

Within the consultation document was a questionnaire that asked five questions. Four questions required a 'yes or no' answer and question 5 was open ended. There was

also space for comments in questions 1 – 4 and respondents were invited to attach additional information. Additional information provided by respondents included:

- DVD presentations;
- letters;
- emails;
- petitions;
- photographs;
- telephone discussions.

All responses have been entered onto a database to assist with analysis and all original submissions have been retained. The consultation document was published on 12 September 2005. This stage of the consultation ended at 5pm on Friday 21 October 2005.

Consultation meetings were arranged for staff, governors and parents in separate meetings at each of the following schools:

- Beauty Bank;
- Highfields;
- Holt Farm;
- Sycamore Green;
- Mount Pleasant;
- Maidensbridge;
- Thorns.

Each meeting began with a presentation covering the background, main issues and specific details for the school. Questions were taken and answered where possible. Attendees were also able to record questions in writing for response after the meetings. Notes of all meetings were taken to assist with the consultation and the public record.

Information was posted on the Dudley Council website. As new questions were raised, the website was updated. This was essential to enable access to the very high volume of information available from Dudley, the DfES, ONS and other sources. Paper copies would also be provided for anyone that could not access information electronically.

The consultation document also made clear that information could be available in large print or other languages on request. No requests were received during the consultation period. For those individuals without personal internet access facilities in schools and libraries were available.

## Respondents

11,000 questionnaires were made available to schools and the normal Dudley Consultees. The questionnaire was also posted on the Dudley Council website. In total there were 778 individual questionnaire responses received. In addition to this the following form of response was made:

- Letters 318
- Petitions 9
- Email 425
- Questions asked during Consultation 99

|                                 |        |
|---------------------------------|--------|
| Number of Questionnaires Issued | 11,000 |
| Number of Responses Received    | 778    |
| Response Rate                   | 7.07%  |
| Pupil / Student                 | 6      |
| Parent / Carer                  | 540    |
| Headteacher                     | 28     |
| Governor                        | 69     |
| Other School Body Rep           | 56     |
| Councillors                     | 2      |
| Trades Union Rep                | 4      |
| Other                           | 39     |
| Not Stated                      | 34     |

### **The views of parents and other local residents, including those who may be particularly affected by the proposals or have a particular interest in them**

Every response has been entered on a database and the originals have been retained. The record of evidence, that is all submissions, is available to view on request by appointment. The following is a commentary on the responses with statistics summarising the breakdown of the respondents.

There were a total of 778 responses. Of these, 126 respondents made general comments or no comments. Responses were received with reference to 73 of the 82 primary schools. The 126 respondents in the 'none' category gave a higher 'yes' response to all questions.

The highest number of responses (386 almost 50% of total question responses) came from schools where either closure or amalgamation was proposed. The 'no' percentage responses from this group tended to be higher than the 'yes' responses for questions 1, 3, and 4.

Similarly the remaining 169 respondents from representatives of schools where there were no changes proposed or an adjustment in admission numbers, gave a higher 'yes' response.

### Question 1

Do you agree with the case for changing the current pattern of primary schools as described in paragraphs 5 - 10.

#### Question 1 by description of respondent

| Description of Respondent | Total      | Yes        | No         | Unanswered | % Yes Total  | % No Total   | % Unanswered |
|---------------------------|------------|------------|------------|------------|--------------|--------------|--------------|
| Pupil/Student             | 6          | 3          | 2          | 1          | 50.0%        | 33.3%        | 16.7%        |
| Parent/Carer              | 540        | 151        | 367        | 22         | 28.0%        | 68.0%        | 4.1%         |
| Headteacher               | 28         | 21         | 6          | 1          | 75.0%        | 21.4%        | 3.6%         |
| Governor                  | 69         | 37         | 26         | 6          | 53.6%        | 37.7%        | 8.7%         |
| Other school body rep     | 56         | 24         | 29         | 3          | 42.9%        | 51.8%        | 5.4%         |
| Councillors               | 2          | 1          | 1          | 0          | 50.0%        | 50.0%        | 0.0%         |
| Trade Union Rep           | 4          | 0          | 4          | 0          | 0.0%         | 100.0%       | 0.0%         |
| Other                     | 39         | 16         | 20         | 3          | 41.0%        | 51.3%        | 7.7%         |
| Not Stated                | 34         | 5          | 21         | 8          | 14.7%        | 61.8%        | 23.5%        |
|                           | <b>778</b> | <b>258</b> | <b>476</b> | <b>44</b>  | <b>33.2%</b> | <b>61.2%</b> | <b>5.65%</b> |

### Question 2

Do you agree with re-investing resources released back into education?

#### Question 2 by description of respondent

| Description of Respondent | Total | Yes | No  | Unanswered | % Yes Total | % No Total | % Unanswered |
|---------------------------|-------|-----|-----|------------|-------------|------------|--------------|
| Pupil/Student             | 6     | 4   | 1   | 1          | 66.7%       | 16.7%      | 16.7%        |
| Parent/Carer              | 540   | 341 | 150 | 49         | 63.1%       | 27.8%      | 9.1%         |
| Headteacher               | 28    | 25  | 1   | 2          | 89.3%       | 3.6%       | 7.1%         |
| Governor                  | 69    | 54  | 8   | 7          | 78.3%       | 11.6%      | 10.1%        |
| Other school body rep     | 56    | 36  | 13  | 7          | 64.3%       | 23.2%      | 12.5%        |
| Councillors               | 2     | 2   | 0   | 0          | 100.0%      | 0.0%       | 0.0%         |



|                 |            |            |            |           |              |              |              |
|-----------------|------------|------------|------------|-----------|--------------|--------------|--------------|
| Trade Union Rep | 4          | 2          | 1          | 1         | 50.0%        | 25.0%        | 25.0%        |
| Other           | 39         | 24         | 12         | 3         | 61.5%        | 30.8%        | 7.7%         |
| Not Stated      | 34         | 8          | 15         | 11        | 23.5%        | 44.1%        | 32.4%        |
|                 | <b>778</b> | <b>496</b> | <b>201</b> | <b>81</b> | <b>63.8%</b> | <b>25.8%</b> | <b>10.4%</b> |

### Question 3

Do you agree with the overall approach based on reducing the number of primary schools?

### Question 3 by description of respondent

| Description of Respondent | Total      | Yes        | No         | Unanswered | % Yes Total  | % No Total   | % Unanswered |
|---------------------------|------------|------------|------------|------------|--------------|--------------|--------------|
| Pupil/Student             | 6          | 2          | 2          | 2          | 33.3%        | 33.3%        | 33.3%        |
| Parent/Carer              | 540        | 79         | 441        | 20         | 14.6%        | 81.7%        | 3.7%         |
| Headteacher               | 28         | 18         | 8          | 2          | 64.3%        | 28.6%        | 7.1%         |
| Governor                  | 69         | 32         | 35         | 2          | 46.4%        | 50.7%        | 2.9%         |
| Other school body rep     | 56         | 16         | 36         | 4          | 28.6%        | 64.3%        | 7.1%         |
| Councillors               | 2          | 1          | 1          | 0          | 50.0%        | 50.0%        | 0.0%         |
| Trade Union Rep           | 4          | 1          | 3          | 0          | 25.0%        | 75.0%        | 0.0%         |
| Other                     | 39         | 13         | 23         | 3          | 33.3%        | 59.0%        | 7.7%         |
| Not Stated                | 34         | 2          | 31         | 1          | 5.9%         | 91.2%        | 2.9%         |
|                           | <b>778</b> | <b>164</b> | <b>580</b> | <b>34</b>  | <b>21.1%</b> | <b>74.6%</b> | <b>4.4%</b>  |

### Question 4

Do you agree with the approach to achieve sufficient local places for local children by reducing the number of places in schools with surplus places and small increases in others to reflect local demand?

### Question 4 by description of respondent

| Description of Respondent | Total | Yes | No  | Unanswered | % Yes Total | % No Total | % Unanswered |
|---------------------------|-------|-----|-----|------------|-------------|------------|--------------|
| Pupil/Student             | 6     | 3   | 2   | 1          | 50.0%       | 33.3%      | 16.7%        |
| Parent/Carer              | 540   | 141 | 369 | 30         | 26.1%       | 68.3%      | 5.6%         |
| Headteacher               | 28    | 17  | 6   | 5          | 60.7%       | 21.4%      | 17.9%        |

|                       |            |            |            |           |              |              |             |
|-----------------------|------------|------------|------------|-----------|--------------|--------------|-------------|
| Governor              | 69         | 34         | 29         | 6         | 49.3%        | 42.0%        | 8.7%        |
| Other school body rep | 56         | 19         | 33         | 4         | 33.9%        | 58.9%        | 7.1%        |
| Councillors           | 2          | 1          | 1          | 0         | 50.0%        | 50.0%        | 0.0%        |
| Trade Union Rep       | 4          | 1          | 3          | 0         | 25.0%        | 75.0%        | 0.0%        |
| Other                 | 39         | 12         | 23         | 4         | 30.8%        | 59.0%        | 10.3%       |
| Not Stated            | 34         | 4          | 28         | 2         | 11.8%        | 82.4%        | 5.9%        |
|                       | <b>778</b> | <b>232</b> | <b>494</b> | <b>52</b> | <b>29.8%</b> | <b>63.5%</b> | <b>6.7%</b> |

## Commentary

Response to Question 2 was positive in every category of respondent. Conversely responses were negative overall for the other 3 questions. There is also a distinct difference of view between the responses of parents and carers particularly those directly affected by the proposals and those of Headteachers generally. The responses should be interpreted with considerable care.

By far the largest number of respondents were parents or carers totalling 540 out of 778 responses. This is not unsurprising as they form the largest body of those involved in the consultation process. The highest number of parent/carers responses came from schools where closure or amalgamation was proposed and their responses were primarily 'no'. This situation was mirrored in the 'Other School Body Representatives' which was mainly made up of teaching staff.

Where parent/carers children do not attend schools identified for closure or amalgamation the response is very small with the vast majority of deciding not to respond. Again this was mirrored in the 'Other School Body Rep'.

Twenty-eight of the Headteachers responded and whilst this is a proportionally small number a high percentage supported by the educational arguments and indicated 'yes' in response to all 4 questions. A total of 69 governors made up of 41 individual governors and 28 governing body representatives responded and their views were generally closely divided between those who ticked 'yes' and those who ticked 'no' in three out of four questions.

## Non - Questionnaire Responses to the Consultation

### Petitions

| <b>School Petition</b> | <b>Title</b>  | <b>No. of Signatures</b> |
|------------------------|---|--------------------------|
| Blowers Green          | As a parent of a child/children who attend Blowers Green Primary School, I wish to support the Governors in their opposition to the proposals set out in the Primary School Review to reduce the School's Standards Number from 45 to 30. | 117                      |
| Mount Pleasant         | Leave Mount Pleasant Primary School Alone<br>156 Netherton CE We the undersigned would like to oppose the proposal for Netherton CE Primary School to reduce the admission number from 60 to 30.  | 210                      |
| Maidensbridge          | We, the undersigned, oppose the closure of Maidensbridge Primary School.  | 15,978                   |
| Highfields             | As you may know there are proposals to close the school and expand Christ Church and Wallbrook schools. If you object to the closure of Highfields in August 2006 please add your name to the petition.                                   | 66                       |
| Mount Pleasant         | The names listed below support the attached letter regarding the proposed closure of Mount Pleasant Primary School (Home & School Association)  | 47                       |
| Holt Farm              | Save Holt Farm School Now. Our Children are the future so lets save their school from closure. They are more important that a statistic on a balance sheet. Sign the petition now.  | 5,332                    |
| Beauty Bank            | We the undersigned give our support to Beauty Bank Primary School. It is a good school, educating our children to a high standard. It has friendly, approachable staff and it is wrong to close it, disrupting the children's education.  | 10,319                   |
| Highfields             | As you may know there are proposals to close the school and expand Christ Church and Wallbrook schools. If you object to the closure of Highfields in August 2006 please add your name to the petition.                                   | 5,749                    |
| Sycamore Green         | Save our School   | 4,000                    |

## **Letters**

Three hundred and seventeen letters have been received and entered on the database. Where requested a detailed response has been given. On some occasions the response has referred the writer to Dudley Council website where answers to questions are available.

## **Questions**

The 99 questions raised at or as a result of the consultation process have been addressed in the same way as the letters.

## **Emails**

There have been a substantial number of emails sent to the school organisation address. A substantial number of emails have also been sent to councillors or officers. All of these have been added to the record of evidence.

The elected members on the Cabinet took the decision to support the proposal and move to the publication of Statutory Notices for closure of the school.

A statutory notice for closure was published on 21 November 2005 and is included in the Prescribed Information.

## **Representation Period**

During the representation period, 20 letters of objection were received by the Directorate of Children's Services, all in opposition to closure, setting out reasons and asking further questions. Some were signed by individuals and some by groups of people such as parents / carers.

These letters were logged according to recipient details immediately and acknowledged by the Directorate. The content of each letter was summarized and separate points of objection noted. Individual points of objection or query amounted to 38.

All of the representations, along with the Directorate's response to the objections lodged were copied to the Secretary to the School Organisation Committee, in accordance with Statutory Guidance. The letters are being copied to members of the Committee.

Parents and other local residents have expressed their opposition to the closure of Highfields Primary School. The strength of the views is emphasised by the number of objections and their detailed nature.

### **The views of any Local Education Authority affected by the proposals or with an interest**

The views of neighbouring Local Education Authorities have not been fully presented. There is however liaison between Senior Officers and each of the neighbouring authorities is aware of the DfES expectation of cross-border co-operation in planning school places and bids for capital investment.

### **The views of the Early Years Development and Childcare Partnership**

Dudley EYDC Partnership, although not formally dissolved, has in practice had its role subsumed into the work of the Children & Young People's Partnership in relation to strategic planning and delivery of early years and childcare services.

In relation to Sycamore Green there is currently no maintained or non-maintained early education provision for under 5's on the site, other than a reception class. There is no out of school childcare on site. In this respect closure would not adversely impact on any existing services, in fact children are likely to be able to access a greater range of services in neighbouring schools to that which has been available at Sycamore Green.

### **Other Issues**

The Guidance identifies a number of further aspects to be considered and it must be recognised that the Committee must consider this proposal on its own merits.

### **The length and nature of journeys to alternative provision**

The radius of one mile for alternative provision is considered to be reasonable.

The recommended maximum walking distance to schools for Primary aged children is two miles. The Education Authority, for the purpose of this proposal, has identified a key threshold of one mile.

All of the pupils' home addresses (except one unmatched address) have been plotted by Geographical Information System (GIS) and the distances to alternative provision for each child calculated as shown in the following table:

| Distance* pupils travel to Highfields Primary  |  |                                     |     |  |     |                                 |     |  |
|--|--|-------------------------------------|-----|--|-----|---------------------------------|-----|--|
|  | No. of pupils<br>(Jan 2005)              | No. of pupils<br>within<br>0.5 mile | %   | No. of pupils<br>within<br>0.51 to<br>1 mile | %   | No. of pupils<br>over<br>1 mile | %   |  |
| Highfields   | 170                                      | 100                                 | 59% | 56   | 33% | 14                              | 8%  |  |
| Distance* of pupils to alternative schools   |  |                                     |     |  |     |                                 |     |  |
| Alternative schools  | Highfields pupil addresses<br>(Jan 2005) | No. of pupils<br>within<br>0.5 mile | %   | No. of pupils<br>within<br>0.51 to<br>1 mile | %   | No. of pupils<br>over<br>1 mile | %   | No. (and %) of pupils<br>over 1 mile where<br>alternative is over 1 mile |
| Christ Church CE   | 170                                      | 94                                  | 55% | 58   | 34% | 18                              | 11% | 9 (5%)   |
| Hurst Hill   | 170                                      | 19                                  | 11% | 73   | 43% | 78                              | 46% | 9 (5%)   |
| Wallbrook  | 170                                      | 43                                  | 25% | 100  | 59% | 27                              | 16% | 9 (5%)   |
| * Due to the no. of addresses involved, distance is measured via straight line and not via specified walking route |  |                                     |     |  |     |                                 |     |  |

Analysis of the distance travelled by 170 pupils attending Highfields Primary (as at Jan 2005) indicates that 59% of pupils live within half a mile, and 92% of pupils live within 1 mile of the school. The impact of these pupils travelling to the alternative schools is not significant for the large majority, with 89% within 1 mile of Christ Church CE. Further analysis shows that only 9 pupils (5% of the total) live greater than 1 mile from one of the 3 alternative schools.

### **Any sex, race or disability discrimination issues or other human rights issues**

The Council has appropriate policies in place and is committed to compliance with the law in relation to the Sex Discrimination Act 1975, the Race Relations Act 1976 and the Disability Discrimination Act 1995 in respect of all of its schools.

Dudley Council supports a highly inclusive policy in its schools and is striving to upgrade the facilities wherever possible with the aim of having as many fully accessible schools as possible in order to satisfy local need. However, this is easier in some cases than others.

So far as disability is concerned, all of the school buildings in the local area have been surveyed by the Special Educational Needs Team as to the accessibility and requirements to bring them up to full accessibility.

Many of the schools on the list have a high degree of wheelchair accessibility within the building, i.e. teaching areas, toilets and other areas accessed by children, making them more suitable for disabled pupils. The Department of Children's Services would therefore recommend those schools to parents of disabled children (requiring the use of a wheelchair or other mobility aids). In addition, many of the alternative schools have better access to the building itself, making them more suitable for disabled access to public areas and the school in general.

All of the new accommodation will be fully compliant with legislation covering disability including 100% wheelchair accessibility.

### Human Rights

Article 2 of the First Protocol to the European Convention on Human Rights (the Convention) provides that:-

*"No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the rights of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions".*

The United Kingdom has a reservation to this Article which reads:-

*"...the principle affirmed in the second sentence of Protocol 1, Article 2 is accepted by the United Kingdom only so far as it is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure".*

Article 2 leaves the structure and funding of public education to the state's discretion. Similarly it does not prescribe the content or purpose of the education that is to be provided and nor does it guarantee access to a particular educational institution or standard of education.

Furthermore, the Convention right to education is not fixed in content but takes the form of the provision made by each member state. The proposal will not bring about a denial of access to education provided for in the statute law of England and Wales.

## Individual Cases

Whilst it is the Education Authority's position that there are no discrimination or human rights issues which are of such significance as to call into question this proposal, it is accepted that the effect of the proposal could cause specific individual hardship or difficulties and the Council is committed to addressing each such situation on its own merits.

### **The effect of the proposal on infant class sizes**

In the context of a surplus of infant class places and the preparedness of Christ Church CE Primary school and other surrounding schools to accommodate all pupils currently at Highfields Primary it is considered that there will be no adverse effect on infant class sizes by this proposal.

### **The overall effect of a closure on the local community, particularly in areas receiving funding as part of regeneration activity**

The use of the schools facilities have been considered. Community groups that currently use the school will be supported to continue their activities within existing provision in the neighbourhood. This may include the Highfields buildings.

## **4. EDUCATION DEPARTMENT RESPONSE**

**The Education Department's responses to the points of objection and comments or queries in the letters are as follows:**

- An issue that has not been fully addressed is parking. To the alternative schools on offer, parking is a potentially dangerous hazard as there is no provision for it. This will get worse if pupil numbers increase. Highfields has safe, off-road parking thanks to a partnership with a neighbouring church and so this does not cause any disruption to the highways or to any other children. What plans will be implemented to deal with this issue?**

Discussions are taking place with the Council's Directorate of the Urban Environment regarding options for improving road safety around the schools and safe routes to school. The Primary Review Refresh 2004 Consultation raised the principle of local schools as an important factor in determining specific proposals for schools. The concept of local schools should be based wherever possible on the distance from home to school on foot rather than by car. In the most recent survey of how children travel to school only 38% of pupils attending Highfields Primary walked to school. Over 60% travelled to school by car. It is understandable why parking is an important factor for some parents but the



Council has a responsibility both to ensure safe routes to school and protect the environment by reducing the distance travelled using vehicles. Parking and traffic congestion are factors that are being considered within the overall scheme but other measures should also be considered e.g. walking buses to ensure that pupils get to school safely whilst gaining from the social experience and exercise at the same time. The statistics included earlier about distance from home to the nearest alternative schools support the view that these proposals do not require any increase in traffic. 91% of pupils attending Highfields live within 0.5 miles of either Christ Church CE, Wallbrook or Hurst Hill Primary Schools.

2. **Highfields is a focal point for the already deprived local community and closure will take this away from them. There are strong links with Darkhouse church and their facilities are used to run adult education classes to help this community. Highfields also holds outdoor activities which local people are invited to. To close the school will lead to a decline in feelings of social identity and belonging in a community that already feels it is ignored and neglected by its local authority.**

The live birth rate in Dudley has fallen from 4,116 in 1990 to 3,344 in 2003. Whilst there was a slight increase in 2004 the long-term projections show that the birth rate will settle at around 3,300 per year. Dudley receives funding for education from government based on the number of pupils attending Dudley schools. There will be around 400 pupils less attending schools in January 2005 than in 2005 which will mean over £1 million less in school budgets next financial year. The reduction of 2,358 pupils by 2010 means that school budgets will have £7.8 million less than this year. Schools faced with less income from fewer pupils cannot afford to pay for staffing, supplies and services and accommodation and will inevitably have to make reductions which in turn reduce the quality of education provided. Dudley has a responsibility to make sure the available resources are used effectively, which means all schools have to be sustainable educationally and financially. Unfortunately Highfields Primary is not sustainable. The importance of the community involvement is recognised and it may be many of the activities can continue either in the Highfields building or elsewhere in the local area including in the three nearest primary schools.

3. **The balance between community and Church schools in the area will be out of proportion if Highfields closes.**

There are 29,513 places in primary schools now of which 4,295 (14.6%) are Church of England places. The proposals will reduce the total number of primary places to 26,145 of which 3,885 (14.9%) will be Church of England. Seven schools are proposed for closure of which two are Church of England. Overall

across Dudley the balance between community and church places is broadly maintained in the proposals. There are variations between areas however and there will be a slight increase in the balance of church places in Dudley North which is balanced by reductions in church places elsewhere. Parents will still have the option of expressing preferences for community or church schools.

4. **Children are scared, disappointed and will feel out of place in another school. Obviously the schools will work to smooth the process of moving but it is inevitable that the children and parents will feel like outsiders.**

Most children take a lead in these situations from adults. If adults are confident and provide enough reassurance most children will adapt to change relatively easily. It is important that schools and parents work together on a range of strategies that help children become familiar with new faces and new environments. The Headteachers of Highfields and Christ Church CE are already working closely together to ensure that ways are found of bringing children, staff and parents together. This is a very good start to building relationships whatever the outcome of School Organisation Committee although there is still much to be done. Christ Church CE have demonstrated their willingness to welcome children, parents and staff, which is a very good foundation on which to build.

5. **Closure of Highfields would only mean that 70 surplus places are eliminated from the system. Instead of increasing admissions at other local schools, why not decrease them slightly? This would then eliminate the surplus at Highfields.**

Christ Church CE Primary is a popular school in that the number of pupils attending has grown from 258 in January 1997 to 335 in January 2005. This is 20 pupils over capacity which reflects the pressure for places and has only occurred as result of successful appeals over a period of years. Wallbrook has also increased from 259 in January 1997 to 275 in January 2005, which is very close to its capacity of 280. Hurst Hill has seen a decline from 461 in January 1997 to 404 in January 2005 but still has more than twice as many pupils as Highfields. It is very unlikely that the admission numbers to these schools could be reduced and even if they were there is no guarantee that parent would choose to send them to Highfields Primary. Reductions or closure of any of these schools would create more disruption for a higher number of parents than the proposal to close Highfields particularly when alternative schools can accommodate Highfields pupils and provide a broader range of facilities.

6. **The Council intends to build 7 new classrooms at surrounding schools to cope with the intake of Highfields pupils. Why do this when there are already 7 suitable classrooms at Highfields? Why spend even more money on the building work? There is also room to expand at Highfields if needed.**

Highfields does not have enough pupils to attract the money required to meet the costs of staffing, supplies and services and accommodation. It costs more to provide education in smaller schools than larger ones. The cost per pupil at Highfields in 2005/6 is £2,916 which is 13% higher than the average for the primary sector in Dudley of £2,572. As the pupil numbers continue to fall this difference would increase and all other schools would be losing money to pay for the extra costs of keeping Highfields open. Highfields is not viable financially and in the context of falling birth rates in Dudley and surrounding authorities, there is no prospect of attracting sufficient pupils to change the situation.

7. **Our children and teachers will be placed into larger class sizes and new environments if Highfields closes. Not only does this affect learning but also increases stress and anxiety. How is this beneficial to education? This contradicts the Government's promise of smaller class sizes.**

Class size legislation only applies to children in Key Stage 1 that is aged 5 – 7. The legislation has not been extended to cover Key Stage 2 (age 7 – 11) although many schools operate as if this were the case. The proposals take account of class size legislation by attempting to match planned admission numbers with the legislation so that each year the intake to reception classes would be 30 or less or multiples of 30 e.g. 60, 90. Most schools in Dudley operate with class sizes of less than 30. Although Dudley is no longer required by government to collect information on class sizes there are other indicators.

The total number of pupils aged 5 – 11 attending Dudley schools in January 2005 was 26,195. At the same time there were 1,299 full time equivalent teaching staff. This means there were 21.2 pupils to every FTE teacher. As some of these teachers would not have a full time teaching commitment the average class size would be higher but certainly not in excess of 30. As pupils transfer to alternative schools there will be increases in the number of staff at those schools and in some cases increases in accommodation. There is no reason therefore to increase class sizes as a result of these proposals.

In fact, the reverse is true. As pupil numbers fall in small schools there is not enough money to pay for the staff needed to provide smaller classes, group work and 1:1 support. If the school, is forced to reduce staff to balance the budget

smaller classes will be combined to make larger classes and the flexibility to organise small groups and 1:1 support is greatly reduced.

**8. Parents should have a right to choose the school they wish their children to attend. By closing Highfields you are taking this choice away from us.**

Parents have a right to express a preference for places in any school in Dudley or anywhere else. The criteria used for allocation of places and parents' rights to appeals are set out in the Parents Guide to Primary School Admissions published by Dudley Council. Legislation also provides for changes to the organisation of schools which includes closures, changes of size, location or status and the opening of new schools. The proposals take full account of this legislation. Parents of children at Highfields will still be able to express preferences for the three nearby schools or any of the other schools in Dudley. Whilst it is acknowledged that Highfields will no longer be available some pupils in the area already attend schools in other parts of Dudley.

**9. The alternative schools proposed are not within walking distance. Children would have to be driven to school which will increase pollution and reduce the amount of exercise the children now get. These are both big issues for the local council and the Government. How do you justify this?**

Please see response to question 1 the statistics on distance from home to the nearest alternative schools set out on p27. 91% of pupils attending Highfields live within 0.5 mile of Christ Church CE, Wallbrook or Hurst Hill. Additionally in the last survey (2002) of how children travel to school 60% of children attending Highfields travelled to school by car. There is no reason why the proposals should lead to any increase in the number of children or distance travelled by car.

**10. No consideration or adequate response has been given to the questions, suggestions and proposals put forward in the original consultation. These proposals would have achieved the same numbers DMBC require whilst still keeping three schools open.**

The total number of enquiries by letter, email, telephone and website runs has not yet been calculated but will be in the region of 10,000. From September to December there were 6059 enquiries to the Primary Review Web Pages on [www.dudley.gov.uk](http://www.dudley.gov.uk). This included 4,269 enquiries to the primary review site and 594 specific enquiries to Presentations and notes, 293 to Freedom of Information Responses and 903 to Frequently Asked Questions.

In addition to the provision of this information Dudley has also responded to hundreds of letters, emails, telephone calls and questions posed at meetings. There have been 21 consultation meetings organised for staff, governors and parents at schools with additional meetings convened by request. There has been a range of additional meetings including Area Committees, parents groups, campaign groups, community groups, individual parents and a wide range of meetings with other Council directorates and external agencies.

Invitations have been extended to individuals or groups to discuss Primary Review issues on several occasions.

**11. Is it true that only 785 responses were received to the initial consultation and that these mostly had negative feedback to your proposals?**

Around 11,000 questionnaires were distributed and the documentation was also available for printing directly from the website at [www.dudley.gov.uk](http://www.dudley.gov.uk). The total number of 778 questionnaire responses received was disappointing. A return rate of only 7.07% on an issue of such importance is difficult to explain.

Comments offered in explanation have suggested that other schools may have been reluctant to respond due to a sense of loyalty to colleagues in schools proposed for closure. Others suggest that the current workload in schools is so demanding that schools may have had different priorities particularly if they felt that they were not directly involved. It has also suggested that schools are being consulted on so many issues that the notion of consultation overload may have reduced participation.

Whatever the reasons for such a low response may be, the responses received should be considered with a degree of care. For example, Question 1 asked Do you agree with the case for changing the current pattern of primary schools as described in paragraphs 5 – 10? There were 476 respondents that said no to this question of which 367 were parents with the vast majority (348) from nine schools - Beauty Bank (23), Brook (13) Maidensbridge (68), Mount Pleasant (41), Ham Dingle (72), Holt Farm (40), Highfields (36), St Mary's CE (31) and Sycamore Green (24). Some of these respondents stated they could not say yes to this question as it would have influenced any future decision on their school. In some instances the concerns were based on proposals to reduce capacity or increase capacity. The remaining "no's" came from parents from 13 schools (22 schools represented and no response from the parents of 60 primary, 6 special or 22 secondary schools).

This compares with 158 parents that said yes from 23 schools including eight of the nine schools above.

The response from parents is also very different to that from Headteachers. 21 Headteachers (75% of 28 respondees) said yes to question 1. Only six Headteachers (21.4%) said no. Similar differences appear with other categories of responses.

It is unwise to draw any conclusions on these returns other than

- The return rate was very low
- The percentage of no responses to questions is higher from those schools directly affected than from other areas
- The views of children, parents, staff, governors and others across all Dudley schools are not reflected 778 responses

It is true that of a very small return of 778 there was a high proportion of negative responses from a small number of schools directly affected. It is also true that there was a high percentage of positive responses from a greater number of schools.

**12. How can a fair vote to these proposals be taken 'on block'? Surely at least one school out of the 5 could have had an alternative proposal considered?**

The Primary Review Refresh 2004 Consultation process established a framework of principles and statements of intent that should be used in formulating specific school proposals. These statements were published widely and shared with staff, governors and parents at the consultation meetings and regularly in correspondence throughout the last few months. The process has focussed on a set of proposals and the consultation has enabled people to express their views in many different ways. All of these views have been listened to and where appropriate proposals have been amended. These views have to be considered alongside the vast range of other information available. The critical factor remains that the falling number of pupils has major implications for all schools and some schools including Highfields are no longer financially viable. No alternative proposals have emerged from the consultation process or the extensive work of officers to change this assessment.

Extensive consideration has been given to alternative proposals and at least one may lead to a better proposal for the local area emerging. This will only happen if the proposal currently under consideration proves to be a real improvement for the area.

13. **The local authority has already asked parents to state their school preference if Highfields closes. Why do they need this information now when Highfields has not even closed yet? Surely the Schools Organisation Committee still have to approve your plans?**

The legal processes required including initial consultation, statutory notices and School Organisation Committee take a long time and there can be delays. The most appropriate time to make changes to schools is at the start and end of school years so that children do not change schools midway through an educational year. Dudley Council requires a number of formal approvals before it can operate certain processes. Whilst initial design work can continue the Council cannot commit financial resources to start construction work on changing schools without the assurance that the proposed changes are secure within the legislation covering school organisation. In this case, School Organisation Committee is the key. Similarly, admissions arrangements have been published with one set of planned admission numbers and a further set subject to School Organisation Proposals. Parents were asked to give their initial indications of preference to support Dudley Council in its initial planning so that when School Organisation Committee considers the proposals some of the work has already started, the Council was better placed to support parents. The intention is, subject to School Organisation Committee to provide individual support for parents in confirming their preferences as soon as possible after decisions are made.

14. **It has come to our attention that one of the alternative schools on offer, Hurst Hill, has just failed an OFSTED report. Can this be confirmed?**

It is true that Hurst Hill has had a very critical inspection. The report is included along with the most recent OFSTED reports for other schools as an annex to this response. Hurst Hill and Dudley Council are working hard to ensure that the required improvements are made as quickly as possible. Dudley has a very good record in supporting the few schools that have undergone this sort of experience and schools rapidly improve. There is no reason for Hurst Hill to respond any differently.

15. **Christ Church is a small school which is already over-subscribed. How do you intend to fit Highfields pupils into this school? You have stated that there are plans to build at this school. When were they submitted to the council? Can they be viewed? How quickly will they go through? What is the normal time for agreeing such applications? Will there be an added cost to the taxpayers? What are the costs of this expansion compared to keeping Highfields open?**

Christ Church CE Primary has capacity for 315 places and is oversubscribed with 335 pupils attending in January 2005. There is sufficient land to comply with DfES minimum area requirements for a school with 420 places. This increase in capacity will be achieved by removing the temporary classrooms and replacing them with a purpose built classroom extension, which makes more effective use of the existing space. Initial discussions with Christ Church CE Primary and Dudley Council architects have produced an outline scheme that identifies all of the necessary phases including planning. There will be several occasions when plans may be viewed. Plans will be displayed at both schools and meetings will, be organised for parents to see the plans and comment. There will also be the normal period of consultation associated with planning applications. Parents will be informed of this at the appropriate stage.

The cost of the Christ Church CE Primary scheme is £940k, which will include all of the facilities required for disabled access. The funding is provided from government grant related to the provision of extra places but also related to the removal of surplus places overall. This is capital money that can only be spent on capital (construction) projects and cannot be used to keep non-viable schools open.

There are no additional costs to the taxpayer of keeping Highfields open. Dudley receives money for education based on the number of pupils attending Dudley schools. As the number of pupils falls the amount of money also falls. Next year there will be over £1million less in school budgets than this year and by 2010 there will be £7.8million less. If the number of schools remains the same the money is more thinly spread. Where schools like Highfields have very high costs per pupil (see answer to question 6) other schools pay to keep non-viable schools open. The real cost therefore is borne by children in other schools who lose funding. Dudley Council has a responsibility to ensure that all children and young people receive the best quality education within the resources available. The proposals to close Highfields along with all of the other proposals will achieve this.

**16. Was this already a 'done deal' and have our efforts to save our school been in vain? It seems the consultation was merely a paper exercise as the council need to cut costs.**

Please see response to question 12. The consultation has been open and Dudley Council has listened carefully to all of the views expressed. There have been a number of changes to the proposals overall. For example, several school proposed to have capacity reduced from September 2006 will remain as they are and will be kept under review to ensure that the number of places available



continues to match the demand in specific areas of Dudley. A new proposal is being considered in one area with a school proposed for closure to assess whether the proposal will be better for the area overall.

With regard to cutting costs the falling pupil numbers means that there will be less money in school budgets next year, the following year and by 2010 there will be £7.8 million less in school budgets than this year. This will happen whatever changes might happen because the income is based on the number of pupils. The challenge is to create a pattern of schools that costs less to run whilst at the same time releasing resources for reinvestment to improve the quality of education at the same time. The proposals will reduce the total number of primary schools from 82 to 76 but ensure that schools are larger with more resources and more sustainable.

**17. The local authority has failed to ensure people have been properly notified of the statutory notices and told how they can respond.**

The requirements for statutory notices is detailed in legislation and in the guidance published by the DfES. This includes requirements for the content and structure of notices, where, when and how they should be published and details for how people should respond.

The statutory notices were produced with advice from the DfES and published in accordance with the legislation, guidance and advice received.

There has been extensive coverage of the process in the local media. Headteachers, Chairs of Governors, Area Committees and others have been informed of the process regularly since May 2005. The number of responses received as representations (objections) confirms that there has been no difficulty in responding. A few concerns were raised about the impact of the holiday period and the difficulty of submitting representations but arrangements were made to ensure that receipt on 3 January would be acceptable for papers dated 2 January or earlier.

**18. DMBC failed to inform all four Borough MPs of their plans until after informing the local media.**

An outline project plan was developed during the early part of 2005 and confirmed during the summer with senior officers and the cabinet Member for Education and Lifelong Learning. Emphasis was placed on ensuring that the release of information took account of the need to manage and respond to the

high emotions and likely interest from parents, media and others. A detailed process was planned for 8 September to inform

- Unions in preparation to respond to any staff welfare or other concerns
- Headteachers of schools proposed for closure or amalgamation, provide personal and professional support and agree arrangements for school consultation meetings
- Parents through a letter from the Director of Children's Services with details of consultation meetings agreed with Headteachers
- Media contacted to attend a briefing on 9 September on the consultation and proposals.

Although the sequence of events was planned well in advance the dates could not be confirmed until the cabinet Member approved the start of the consultation period. The involvement of Members of Parliament should have been sought at an earlier stage and this was a regrettable oversight. Members of Parliament were invited to a briefing on 9 September. Three of the four MPs were able to attend.

Comments from Headteachers involved were appreciative of the way this very difficult period was approached.

**19. Will there be support available for the pupils, their families and the community as a whole while they adjust to these changes?**

Subject to School Organisation Committee, individual support will be provided for parents and children in confirming the options available and their preferences. This will include any specific support for children with special educational needs. Individual support has already been provided for some families but this will accelerate. The Headteachers of Christ Church CE and Highfields are in discussions about strategies to provide information and engage parents and children in the process. Some contact has already been established which regardless of the outcomes of School Organisation Committee is a good foundation to build stronger relationships.

Schools Forum agreed in principle before Christmas to provide financial support in the form of

Grant for parents of children in closing schools requiring uniform or other equipment changes to support effective and immediate integration

One off revenue grant of £40k to each of the schools proposed for closure to support the additional workload

Establish a contingency fund to meet the costs of any staff salary protection required e.g. staff moving to a similar post but at a lower grade would have the difference met.

There will also be discussions with the community about community activities and the options available. This may include continued use of the Highfields buildings or other options available locally.

**20. Teachers, administrators, support staff and all other staff at the school will be affected by potential losses of careers or job relocation.**

Dudley has a very good record in protecting staff. Previous reorganisation in Dudley involving changes from a mixed economy with first, middle and upper schools along with some infant and junior schools to a pattern of primary and secondary provision was completed without any compulsory redundancies. It is anticipated that there will be no compulsory redundancies arising from the Primary School Review.

The total number of staff currently employed at Sycamore Green and the other schools proposed for closure is less than the normal number of vacancies arising in Dudley in a normal year. Some additional staff will be required to manage the split site operation of schools for a short period of time and further capacity is required by national workforce reform strategy. In this context there should be no requirement for any job losses.

The Headteacher of Sycamore Green Primary retired at the end of August 2005 and the substantive deputy Headteacher is currently acting Headteacher. The proposal to continue using the Sycamore Green site will require staffing to keep the site open including care taking, cleaning and maintenance as well as the normal range of teaching, classroom and administration support. The numbers of staff required will be determined by the number of children on the site and the total budget available.

The reduction of around 400 pupils per year means that the education budget in Dudley is falling by over £1 million per year. By 2010 there will be, using current values, around £7.8 million less in the schools budget. The proposals mean that Dudley can protect staff through a carefully managed process. The potential for job losses is much greater without a carefully managed primary school review in which all schools would have to manage individual budget reductions of around 10%. Cuts ranging from £500k in the smallest schools to £1.9m in the largest will inevitably mean staff cuts. Dudley Council would not be exercising its duty of care to staff if it failed to take preventative action now.

**21. Dudley citizens will be affected by the change in traffic flow and business owners will be affected by the reduction in customers.**

There is no impact on traffic flow or business owners of these proposals for Highfields. 91% of pupils attending Highfields live within 0.5 miles of Hurst Hill, Christ Church CE or Wallbrook, which should enable more children to walk to school and reduce traffic. The most recent survey of how Highfields children get to school (2002) showed that 60% travelled by car. As the distances are very similar it is extremely unlikely that there will be any impact on traffic flow. Equally, it is extremely unlikely that there would be any impact on business owners. It could be argued that the impact of better access to a broader range of educational opportunities provided by larger schools will in time, improve training and employment opportunities and lead to higher income per capita with clear benefits for the local economy.

**22. DMBC has not specified exactly where additional funding will come from in order to 'merge' and build new schools. Nor does the Authority specify land available for new schools.**

The design brief for the project at Christ Church C.E. Primary School includes the construction of four new classrooms, additional toilet facilities, disabled persons toilet, quiet work spaces and disabled persons access lift and initial costs value the project at £940,000. Improvements to Vehicular and pedestrian access to the school is also being explored in consultation with Highways Engineers. Funding for the project will be by the Authority utilising Basic Need formula capital grant awarded 2003/04 and New Pupil Places formula capital grant 2004/05 with an allocation from the School of approximately £41,278 for devolved formula capital grant 2006/07 and £43,574 for 2007/08.

The design brief for Wallbrook Primary School includes the construction of three new classrooms, additional toilet facilities to Nursery and re-modelling to existing areas and initial costs value the project at £ 650,000. Funding for the project will be by the Authority utilizing Basic Need formula capital grant awarded 2003/04 and New Pupil Places formula capital grant 2004/05 with an allocation from the School of approximately £33,348 for devolved formula capital grant 2006/07 and £35,384 for 2007/08.

All of the land required is owned by the Council or in the case of Christ Church registered in the Trustees. There are no land acquisition issues.

**23. The rise and fall of birth rates are cyclical and cannot be predicted just on a current low point. ONS data actually suggests birth rates could be increasing, not falling.**

Dudley has responded to changes in the demand for school places on previous occasions both in the total numbers of children and in local areas. The Office for National Statistics (ONS) was established as the primary source for a wide range of data on many different areas. Data on birth rates is collected from health authorities and undergoes a series of quality checks before they are posted as official statistics. The birth rates for Dudley show a marked decline from a peak of 4,116 live births in 1990/01 to 3,344 in 2003 a drop of around 18%. The birth rate showed a slight increase to 3,514 in 2004 but the average taken across any period of three or more years shows a downward trend. The ONS projections to 2030 show stabilisation at around 3,300. Similar trends are evident for neighbouring authorities.

The Primary School Proposals are not driven by predicted birth rates. The numbers of children that will attend Dudley primary schools in 2009/10 have already been born and the fall in total numbers has been evident in January pupil counts since 1997. These figures are robust as they are required for statutory returns to the DfES and based on identifiable children.

The ONS data records actual birth data recorded in previous years and shows long-term predictions. These figures show that Dudley's annual birth rates are predicted to settle at around 3,300 per year for the foreseeable future. If the birth rate were to rise it would take at least five years for there to be any impact on schools and there are sufficient surplus places built in to the proposals to cater for any growth. Any such growth would be too late to change the severe financial implications facing schools now and over the next few years.

**24. Surveys carried out by Highfields show that if they offered nursery facilities, more parents would choose the school for their children. School Governors have already secured the funding and OFSTED registration to do this and the provision was due to be launched in January 2006 but the plans are now on hold. This would have gone a long way to reducing any surplus places that may exist at present.**

If there were sufficient children to fill Dudley primary schools this would be a reasonable conclusion. There is evidence in Dudley and elsewhere to show that schools with nurseries often see all or many of the children continuing through the primary school. There is also evidence in other authorities that parents sometimes use nursery provision either because it is convenient or the only

option and send their children to other primary schools. Progression therefore is not guaranteed.

In Dudley, the falling birth rates mean that there are fewer children in each year group including those likely to attend nursery education. It is unlikely that Highfields would be able to sustain full nursery provision or that there would be sufficient growth to increase admissions to reception.

It is also true that the cost of early years provision is high in comparison to other primary age groups and the income for three and four year olds is lower per child than for older pupils. If there were not sufficient pupils to rapidly increase pupil numbers from reception upwards the existence of nursery provision would be an added financial drain on the schools already limited resources.

**25. The responses to the original consultation were so heavily paraphrased that the opinions contained in them were not adequately conveyed to council members who therefore came to a decision based on inaccurate and misleading information.**

This statement underestimates the roles played by councillors during the consultation process. Many councillors attended consultation meetings either as governors, parents, ward councillors, Area Committee Members or in other capacities. Many councillors were engaged in discussions or correspondence with local people. It is extremely unlikely given the high levels of media coverage, public interest, circulation of correspondence by parents and other groups that councillors would be unaware of the range of views and depth of feeling. The Cabinet Member for Education and Lifelong Learning attended all of the scheduled consultation meetings, accepted invitations to many others and read all of the responses received. There is no justification therefore for the claim that the information presented to council members led to a decision based on inaccurate or misleading information.

**26. The proposal to close the school has caused much anger and is seen as another attack on a socially deprived area by distant, uncaring bureaucracy. It has given rise to feelings of resentment against the other schools who are rightly or wrongly seen as the benefactors of Highfields' demise.**

Comments made at some of the consultation meetings and in writing confirm that this view is held by some people in the area. The proposal is focussed on the stated aims of putting children and young people first and ensuring the highest quality of education possible within the resources available. The problem of

falling numbers affects every school in Dudley irrespective of whether they are small or large, full or not. The total amount of money available for distribution to school budgets is fixed by the total number of pupils attending Dudley schools.

As a small school, the cost of providing education per pupil at Highfields is already 13% higher than the average for the primary sector in Dudley. As the funding continues to fall in line with pupil numbers, Highfields will be forced to balance its budget by reducing expenditure on staff, supplies, services and education. Staff reductions will mean fewer staff to teach resulting in smaller classes combined into larger classes. There will be fewer people to carry out the range of tasks required meaning that staff will work harder, tasks will take longer or some things will not be done. This will inevitably affect the quality of education provided and the workload of staff charged with making a non-viable situation work.

The proposal to close Highfields will prevent this deterioration and ensure that all pupils have access to properly resourced education in the local area. Staff will respond better in better working environments with more manageable workloads. Dudley Council is exercising its responsibilities to children and young people and its duty of care to staff by bringing these proposals whilst ensuring that a deprived area continues to access high quality and improving education.

27. **Dudley Education Authority has decided that a school of less than 210 pupils is unviable. Many other LEAs up and down the British Isles support successful schools much smaller than Highfields will ever become, especially with the Governors plans to manage the falling roll situation. High quality education can still be offered and staff structures altered to reflect pupil numbers.**

Dudley is one of the lowest funded authorities nationally. The revenue grant from government does not benefit from additional factors such as the high average deprivation that some city authorities attract or factors related to population sparsity in some large rural areas. Dudley receives the minimum level of funding.

Analysis of the average size of schools shows that urban areas tend to have larger schools because there is more demand in local areas to fill them and they can offer a broader range of provision with the benefits of economies of scale. Rural authorities tend to have smaller schools particularly in village settings where the demand for places is low but the distance to alternative provision would be excessive. Small schools of this type have major challenges providing the quality and range of provision for children with very few staff and limited resources.

There is no evidence that smaller schools perform better than larger schools. In the primary phase there is much evidence that performance is influenced more by other factors such as leadership and management, quality of teaching and the level of resources available than size of school. As pupil numbers fall and budgets fall Dudley schools will be forced to reduce expenditure on these crucial areas and the overall quality of education and workloads on staff will suffer.

There is no justification given the population density and relatively small geographical area for Dudley to have schools of less than 210.

28. **Governors had recently bid to develop a children's centre on site. Whilst this bid was unsuccessful because there was a more experienced provider in the area, the offer had been made for Highfields to work in partnership and offer satellite services from the main children's centre. This is something that would have benefited our local community tremendously.**

Dudley has a responsibility to ensure that there is sufficient provision in each area of the Borough. This can be done in a variety of ways and Dudley is supporting the distribution of Children's Centres with some on school sites, other on health authority sites. Provision in school settings is also mixed with some maintained provision and some private providers. In each case, provision is expensive to offer and Dudley Council, individual schools or private providers must have a secure financial base for entering into or continuing with this type of provision. There is no evidence that the establishment of a Children's Centre on the Highfields site could be sustained financially or that there would be sufficient finance provided by the "experienced provider" to meet the true costs to Highfields Primary School of hosting such provision.

No discussions have taken place regarding the future use of the building and the suggestion remains a possible option.

29. **There are particular concerns regarding Year 6 children. This is probably the most important year in their primary education yet they will have to move school in the middle of it. They may also have different teachers and senior leaders. All of this would be extreme unsettling for them, particularly with the pressure of KS2 SATs on them as well. After getting through that they would then have to transfer to secondary school. In effect they will be moving school twice in the space of 9 months.**

Specific arrangements can be made to support Year 6 children. These will be planned in discussion with the schools concerned, parents and staff from the



Directorate of Children's Services and of course, with the children as appropriate. If all parties work together effectively there is no reason why the performance of Year 6 children should be affected.

30. **Children will be forced into schools that do not offer the same high quality range of facilities that are on offer at Highfields. This is also combined with the ethos, environment, highly qualified staff, security, large playing fields and new equipment at the school. In effect, the educational opportunities for the pupils will be compromised by moving to a new school that cannot offer the same standards.**

The most recent OFSTED inspection reports of the local schools are contained as an annex to this response. Dudley Council is confident that the education offered in nearby schools is at least as good as that provided by Highfields. Dudley Council is also confident that the proposals with the subsequent capital investment and protection and better use of money available for school budgets will result in improved provision. Keeping Highfields open with falling pupil numbers and declining budgets would force a series of expenditure reductions on staffing, supplies and services and accommodation to balance the budget. Highfields cannot afford to maintain its current level of provision.

The range of facilities and opportunities in larger schools is greater than can be offered in smaller schools such as Highfields. The strengths of Highfields should transfer to other schools as staff take up posts in nearby schools or other Dudley schools.

31. **The impact of policies such as child tax credit, increased support for childcare, better maternity and paternity pay and leave, and the Child Trust fund on birth rates has not been taken into account.**

Schools receive their funding on the basis of how many pupils attend Dudley schools overall and how many attend individual schools. The need to take action now is based on the fact that the birth rate has already fallen and the budgets that schools will receive over the next few years will be lower accordingly. These policies have led to any increase in the live birth rates for Dudley and there is no evidence of the likelihood of any future impact. The government official source of statistics, the Office for National Statistics shows that long-term projections for birth rates will remain at the lower level of around 3,300 per year. Should there be any increase in the birth rates the proposals include over 1,600 surplus places and there is further scope to increase capacity in the very unlikely event of it being required. Dudley is already a developed area in terms of land use. The only possibility of additional demand for school places would come from the

conversion of substantial tracts of employment land being used for housing which is likely to have the effect of reducing employment opportunities for local people. Dudley Council will need to balance these issues very carefully in its long term planning for the area.

**32. External factors such as immigration and the Black Country Study have not been taken into account when predicting birth rates in the area.**

All relevant factors have been taken into account. Please see Appendix 1 of the Cabinet Reports which are included as Appendix H in this response. The Black Country Study is a starting point for a longer-term strategy for the region. The outcomes of any changes such as initiatives to increase the birth rates would not affect Dudley schools for at least 5 years. By 2010 there will be 2,358 fewer pupils in Dudley schools than now based on children that have already been born. This means that school budgets will have £7.8million less than this year. This will happen irrespective of any school review proposals.

Failure to acknowledge the significance of this crucial factor or take action by implementing the primary school review proposals will result in very serious difficulties for children, parents, staff, governors, communities and all other parties.

**33. The council has not taken into account the impact increased housing development in the area will have on pupil numbers in the future.**

All known housing developments have been taken into account in the proposals and sufficient places included to take account of any additional demand. There is additional capacity already in the land and buildings available to Dudley schools to meet the demands from any windfall sites (unexpected housing developments). Please see comments in point 13 above. Further details are available in Appendix 1 of the Cabinet Report attached as Annex 6.

**34. For children to move from Highfields to Hurst Hill will mean they have to cross the busiest road in the Borough which is counter to both the council's and the Governments guidelines.**

The statistics on distance from home to nearest school show that 91% of children attending Highfields live within 0.5 mile of Hurst Hill, Christ Church CE or Wallbrook Primary Schools. Of those living closest to Hurst Hill some already live on the Hurst Hill side of the Wolverhampton Road and would not need to cross it. Those living to the east of the Wolverhampton Road will generally be as close to or closer to Christ Church CE or Wallbrook. Parents will prefer particular schools

for a variety of reasons but it is not expected that there will be many parents living to the east of the Wolverhampton Road that will prefer Hurst Hill. In the most recent survey of how children travel to school 60% of children travel by car. It is hoped that the proposals will reduce this figure and encourage more children to walk to school.

**35. What thought has been given to using part of the buildings to expand other much needed community provision?**

Schools receive the major part of their funding based on pupil numbers. As pupil numbers fall, the budget also falls. The overall costs of providing staffing, supplies and services and accommodation continue to rise. The running costs of a school can be offset through using the accommodation to attract additional income through lettings or other purposes. This is a very difficult challenge however in areas of deprivation where the income per capita of the local population work against the school charging the true costs of the accommodation and services. For example, families with low incomes may have other priorities and cannot afford high charges to use facilities. In larger schools the additional income is helpful as it is likely that the accommodation will be open for other purposes and the additional costs of lettings are less. For Highfields such income would be essential and there is no evidence that there would be sufficient income to either cover the true costs of the lettings or subsidise the core activities that the school budget cannot provide for the children. If this was a viable option it is likely that Highfields like other schools would have already been involved in these types of activities.

**36. Standards are increasing rapidly at Highfields having just achieved record SATs results.**

Dudley schools have shown improvement in Key Stage assessments over a period of years. A great deal of sustained effort by schools with the support of Dudley Council and others has helped drive this process. The ability of schools to continue their focus on improving the quality of education and the standards achieved is seriously threatened by the financial position resulting from falling numbers. Schools cannot continue to focus on improving standards when they are forced to balance their declining budgets by reducing staff, spending less on supplies and services and premises. These proposals will ensure that all children continue to be taught in properly resourced schools. The proposal for children to become part of a new set of building and facilities fit for 21<sup>st</sup> century learning is a very good opportunity for children currently attending Sycamore Green and the future generations of children across the area.

**37. 54 of Highfields' children have special needs and the school has been complimented by the local authority on the provision it makes for them.**

All children and their families will be fully supported following School Organisation Committee decisions. Please see earlier responses regarding support to children and families.

**38. Highfields School is set back from the road so not everyone is aware that the school is there. This could be addressed with better signage and Dudley LEA promoting the school more as an alternative for parents in the area. This would help increase our numbers.**

The problem of falling pupil numbers at Highfields is nothing to do with signage or the school some distance away from the road. Similarly, it is not for Dudley Council to promote an individual school when the consequences of success are likely to result in problems for other Dudley schools. Dudley Council's responsibility is to make sure that there are sufficient places available for the pupils that need them and to do so with the best use of resources available. This means removing surplus places and reinvesting money released from the process back into schools.

Live birth rates have been falling in Dudley for many years and there are not enough children to fill the number of places at Highfields or other Dudley schools with surplus places. Similar trends are evident in neighbouring authorities and there is little prospect of Highfields attracting the additional children required for viability from other authorities. Wolverhampton and Sandwell are both concerned about primary pupil numbers and are taking their own measures to address the. It is highly likely that they would wish to retain as many of their resident pupils as possible. There is no realistic prospect of Highfields becoming a viable school.

## **CONCLUSION**

It is considered that a compelling case for the closure of Highfields Primary School is in existence. The case for closure of the school is based on the substantial and incremental fall in the live birth rate over the last few years. The fall in pupil numbers has been known in Dudley for at least 8 years and a framework of principles and statement of intent for using in formulating specific school proposals was developed early in 2005.

Highfields has seen a fall in the number of pupils attending from 198 in 1997 to 147 in January 2006. Nearby Christ Church CE Primary School and Wallbrook Primary School will be extended with DfES Capital Funding to create learning facilities for the 21<sup>st</sup>

century. With these new facilities including access to early years provision children have better opportunities across the full scope set out in Every Child Matters. Dudley Council is implementing its School Organisation Plan Commitment to address surplus capacity and create a new pattern of schools that are financially and educationally sustainable.

Existing and intending pupils of Highfields can be confidently expected to receive better overall provision at nearby primary schools. These schools are willing and capable of welcoming the displaced pupils from Highfields without detriment to those schools or their existing pupils. The proposals to continue using the Highfields buildings as an annex of Christ Church CE Primary during the completion of the rebuilding of the work will ensure a high degree of stability and integration. This is consistent with Dudley Council's declared aims of putting children and young people first and improving educational standards and achievement for all. Although the Early Years Development and Childcare Partnership have not expressed a view on these proposals, there is strong support for the establishment of a Children's Centre nearby. It is anticipated that the EYDCP would support a proposal that improves access for all children and families in the local area including Highfields to the range of excellent services that will be available.

The Secretary of State has established a position against the closure of small schools. The compelling nature of the case for closure of Highfields speaks for itself in the specific local circumstances. Acknowledging that this presumption is in existence, Dudley Council contends that it can be and is clearly rebutted in respect of the closure proposals for Highfields.