

Buildwas Primary School Consultation - FAQs

The consultation on the proposal to close Buildwas Primary School with effect from 31 August 2016 runs from Monday 7 September 2015 to Sunday 18 October 2015. This third FAQs document - together with the other two FAQ documents uploaded onto the Shropshire Council website on Friday 18 September 2015 and Monday 21 September 2015 - seeks to address the factual questions that are being raised by consultees during this period, some of which are common to a number of consultation responses. The intention is that these questions, and the answers provided, are put in the public domain – via the Council website - for all stakeholders to have access to, rather than restricting the responses to individual consultees. This particular upload addresses a number of the questions raised at the public meeting at Buildwas Village Hall on 23 September 2015.

The FAQs will be updated and refreshed throughout the consultation period. The final complete FAQs list at the end of the consultation period will be referenced within, and appended to, the report going to Shropshire Council Cabinet on 28 October 2015. It is worth noting that all of the consultation responses - emails and letters in their original form - will be made available to all Cabinet members and will form an important part of the decision making process.

41. In the public consultation presentation on 23 September 2015, which has been published online, you state that *'detailed consideration will be given to.....availability, and likely cost to the local authority of transport to other schools'*. Given that when asked under the Freedom of Information Act, the local authority was unable to provide information on current per pupil costs of funded transport, would it not be pertinent to now carry out this detailed consideration?

The current annual cost of transporting catchment area pupils to Buildwas Primary School (mainly from the western end of the catchment area) is around £30,000. The calculation of future transport costs for catchment area children cannot be accurately determined as this will depend on which individual schools displaced pupils eventually relocate to. Modelling, based on in-area pupils relocating to their next nearest school, indicate transport costs could increase by between £15,000 and £20,000 per annum.

The Council's School Transport Policy provides for - in the event of school closure and over and above the distance qualification of 2 or more miles - free transport to the identified receiving school through to the end of the pupils' primary phase education. This applies from the date of closure for all children living in the area served by the school and in attendance at the school at the time of closure, unless their circumstances alter eg they change their current home address. For younger children not in attendance at the time of closure, but for whom the closed school would have been the appropriate school, the normal school transport policy rules will apply.

42. At the public consultation meeting on 23 September 2015, the presentation claimed that the other five schools were within 4.5 miles of Buildwas. Based on the Park View postcode, there are only two schools that are within 4.5 miles according to Google Maps – Much Wenlock Primary School, 4.2 miles and John Wilkinson Primary School, 4.5 miles. For those living to the west of Buildwas, Cressage is the only school within 4.5 miles. Can you confirm how the distances have been calculated and confirm their accuracy?

The distance calculations used in the consultation document were provided by the Council's Passenger Transport Commissioning Group using the digital mapping software system they use for operating the countywide network of school transport routes. The calculations are for the distance measurement from each home address for current pupils in the Buildwas catchment area and relate to the nearest primary school (after Buildwas Primary School) using the shortest pedestrian route.

In the light of the question raised these distances have been re-checked and confirmed as being correct.

43. The public meeting on 23 September 2015 appeared to show a declining trend in academic standards at Christ Church CE Primary School in Cressage. Coupled with their poor attendance figures, will you accept that this school does not provide an equal or better education than that being received by the pupils in Buildwas Primary School? If this school is removed from the list of alternative schools, are there still enough places in the others for all Buildwas children by year?

Christ Church CE Primary School in Cressage is just one of the schools that parents will be able to express a preference for when looking at the alternative Shropshire schools (note that parents will be able to express 3 preferences for the school they want their child to be relocated to). This school, as with any other Shropshire school, will not be removed from the options available to the parents of the current pupils at Buildwas Primary School. It is worth noting, as at January 2015, that over 20% of the children in the Buildwas catchment area elected to go to Christ Church CE Primary School in Cressage.

There has been some pupil mobility over the academic year 2014-15 that was due to a variety of factors: some schools like Christ Church CE Primary School in Cressage may have a small transient population, sometimes schools experience staff absence and occasionally other individual circumstances contribute to mobility. Where the permanent headteacher of a school takes a leave of absence, it can result a higher rate of pupil mobility during this period. No children have left the school since the start of the current academic year, coinciding with the return of the substantive headteacher. Christ Church CE Primary School in Cressage was graded 'Good' at their last Ofsted inspection in March 2013 in all areas and for overall effectiveness. Over time Christ Church CE Primary School has provided a better quality of education than Buildwas Primary School.

44. The Department for Education Guidance Document 'School Organisation Maintained Schools Annex B' (2014), paragraph 64 states:
'The decision-maker should not normally approve the closure of a school with a religious character where the proposal would result in a reduction in the proportion of relevant denominational places in the area.....'. The religious character of Buildwas Primary School at present is that it is non-denominational and allows parents to choose it over the other Church of England schools that exist. By removing the only non-denominational school in the area do you believe that the local authority would be failing in its duty to provide school places for parents who want to express a preference for a non-faith school?

The Department guidance refers specifically to the retention of faith places in the area in schools *'with a religious character'*. This does not apply to the reduction of non-denominational places as this is not a recognised religious categorisation.

However, the local authority has recognised that a number of parents will elect to continue sending their child(ren) to non-faith schools. The two community schools in the area are John Wilkinson Primary School in Broseley and Much Wenlock Primary School. There are other non-faith schools in Shropshire with unfilled places, as well as some in the Telford & Wrekin local authority area.

It is not known at this stage how many parents of the remaining Buildwas Primary School pupils will specifically elect for a non-denominational rather than faith school. Of the 19 children who left the school over the summer at least 11 are now attending faith schools.

45. During the public consultation meeting at Buildwas Village Hall, the local authority stated that there are enough places at Shropshire schools to accommodate all Buildwas pupils. Can you confirm the number of non-denominational places that are available within the 4.5 miles of Buildwas Primary School?

John Wilkinson Primary School in Broseley currently has 4 places available – 2 in Reception and 2 in Year 3. Much Wenlock Primary School currently has 4 places available – 2 in Year 5 and 2 in Year 6.

As referenced at the public consultation meeting, there is an option to physically expand the capacity at John Wilkinson Primary in the event that there is demand from parents of current pupils at Buildwas Primary School for places at this school. In the event that this situation arises the local authority will liaise with the leaders of the school to establish what options are available.

As referenced in the consultation document there may be the option for parents resident in Telford & Wrekin local authority area of expressing a preference for a place in a non-faith school in their own local authority area.

46. In the consultation document there is reference to ‘Further non-faith places within their own local authority area being available to children who currently travel from Telford & Wrekin to Buildwas Primary School’. Which schools within Telford & Wrekin Council are you referring to? Can you detail how many places within each group are available at each school?

Officers at Telford & Wrekin Council have provided details of the 5 closest non-denominational schools in their local authority area to Buildwas Primary School. The following table details how many unfilled places are available in each year group in each school – there are currently 210.

	Vacancies						
	Rec	Y1	Y2	Y3	Y4	Y5	Y6
Captain Webb Primary	7	2	15	5	12	9	22
Lightmoor Village Primary	0	0	0	0	0	0	0
Sir Alexander Fleming Primary	7	13	4	5	19	15	17
William Reynolds Primary	0	3	0	12	0	2	13
Woodlands Primary	0	0	8	0	2	4	14
Totals	14	18	27	22	33	30	66

The latest Ofsted inspection reports for each of these schools has judged each of the schools as ‘Good’.

47. As part of the consultation process it is a requirement that ‘*any local authority likely to be affected by the proposal, in particular neighbouring authorities where there may be significant cross-border movement of pupils*’, is consulted. Can you confirm that you have consulted with Telford & Wrekin Council and advise what their response was?

Telford & Wrekin Council are a statutory consultee and as such were formally notified of the proposal alongside other consultees on 7 September 2015 and have been directed to the Shropshire Council consultation portal. Council officers have also informally advised key Telford & Wrekin Council officers about the consultation timetable and deadline for submissions. The Council has until 18 October 2015 to respond. Any views received from the Council by this date will be presented to Cabinet on 28 October 2015 along with all other responses received during the consultation period.

48. With regard to forthcoming housing development in the Cross Houses area and the subsequent increase in the number of children in the village, the planning documents acknowledge that as a result of this development the capacity of Christ Church CE Primary School in Cressage will be exceeded. Has this been considered as part of the consultation process?

The local authority maintains accurate forecasts for all of its schools, taking into account the impact of any housing developments. These have been taken into account, along with the local schools’ accommodation, in

establishing that there are currently sufficient places in these local schools for all pupils currently on roll in Buildwas Primary School. Should additional accommodation be required where new housing creates increased demand, Shropshire Council would seek housing developer contributions for any required expansion of those schools.

49. It appears that Shropshire Council has failed to ensure an equivalent number of non-denominational school places are available for children displaced by the possible closure of Buildwas Primary School. This failure by the Council would violate the human rights of parents and children in respect of their rights under Article 2 of Protocol 1 of the European Convention on Human Rights and also under Article 9 of the same Human Rights Convention. Have you consulted Telford & Wrekin Council regarding this very important aspect of the proposal to close Buildwas Primary School and your obligations to comply with the European Convention on Human Rights and Human Rights Act?

The answer to question 44 addresses the provision of non-denominational places.

Under the European Convention on Human Rights parents do not enjoy a specific right to have their children educated at a school with a religious character or a secular school. Article 2 stipulates that no one shall be denied the right to education. It does not include the right to education of any particular type. Individuals can take advantage of existing education institutions, but it does not guarantee an education of a particular kind or that the education will be provided by a particular institution.

The second part of Article 2 Protocol 1 concerns the rights of parents and provides that they are able to ensure that their children's education conforms to their own religious or philosophical convictions. The parents' right must be 'respected', but does not necessarily mean that their request will always be granted.

The answer to question 47 confirms that Telford & Wrekin Council are a statutory consultee for the closure proposal.

50. A consultation document includes the following section:
'The school site is very compact, is deficient in size and is on a sloping gradient. The hall is about one third of the required size. The school is located on the busy B4380 with school parking directly off this road, and is accessed via a narrow residential road to the rear of the site, including a school drop-off'.
These statements are misleading and inaccurate. How does this site compare with other primary school sites in Shropshire and what is the significance in terms of the school's ability to provide a quality education for pupils?

The consultation document references a number of physical aspects of the school site that may be factors when consideration is given to the efficient use of the site. It is a requirement to provide information for the decision-makers on the current efficiency of the site. School site features and

access issues differ greatly across the county, some of which may be similar to those at Buildwas Primary School.

In the case of Buildwas Primary School these issues are unlikely to play a significant part in the decision-making process that will follow as the key requirement of the process is to secure and sustain improved educational outcomes.

Members of the Shropshire Council Cabinet have visited the site and will have first-hand knowledge and understanding of the buildings and land and any issues pertaining to these.

51. What is the government's policy on academisation?

Under section 4 of the Academies Act 2010, the Secretary of State for Education can make an Academy Order in respect of a maintained school if either the governing body applies to become an academy or the school is 'eligible for intervention' within the meaning of Part 4 of the Education and Inspections Act 2006. A school is 'eligible for intervention' if:

- it has not complied with a warning notice and the local authority have given the school written notice of their intention to exercise their intervention powers
- it has been judged by Ofsted to require significant improvement (i.e. a 'serious weaknesses' judgment) or require 'special measures'.

The Department for Education guidance to local authorities makes it clear that there is an expectation *that "where a school has been judged by Ofsted to have 'serious weaknesses' or require 'special measures', conversion to an Academy with a strong sponsor will be the normal route to secure improvement"*.

52. It has been suggested that a formal admissions process will be run for parents to secure places at other schools should the decision be taken to close Buildwas Primary School. How will you ensure this process is fair for both catchment area children and those from outside of it?

When a school is placed in an Ofsted category, the local authority is required to consider closing the school and to identify whether there is sufficient quantity of school places in neighbouring schools. The 5 schools named in the consultation document could accommodate all the current Buildwas Primary School pupils, whether they are Shropshire or Telford & Wrekin residents. However, if Buildwas Primary School was to close, it would be for each child's parents to nominate any 3 schools of their preference. The local authority would not restrict the schools for which parents could make an application and would work with whichever Shropshire schools were nominated by parents to accommodate children from the closing school.

In terms of admissions priority, the issue of whether current Buildwas Primary School pupils are resident in a re-defined catchment area for an

alternative school is immaterial. They would be prioritised as a special category due to their displacement from a school that is closing. Until this exercise is completed, no one can predict what the demand would be for any school. Indeed, those pupils who left Buildwas Primary School in the summer have opted for a wide range of schools and this is often dependent on a family's individual circumstances.

53. Given that it is a statutory requirement for the consultation process to carry out a village impact study why are you requiring the community to provide information on impact informally to you?

Clarification has been sought from the School Organisation and Admissions Division in the Infrastructure and Funding Directorate at the Department for Education on the statutory requirement for a village impact study to be undertaken during the consultation process.

In a response to an enquiry from the Chair of Governors of Buildwas Primary School the Department has advised, given the Council is in stage one of the statutory five stage consultation process, that this stage *'....can be used to consider a range of options, including closure, and how this stage is carried out is not prescribed in regulations.'*

In referencing the specific legislation and guidance on community impact the Department has further advised that none of these regulations state that an impact study (specifically) is the way this has to be done. The Council therefore continues to seek supporting evidence on the impact on the village (and wider community) and confirms that the decision-makers will need to be satisfied that they have received sufficient evidence to be assured that any statutory requirement has been met.

54. What are your plans for the school site if the school was to close, what plans have been made, what is your expectation in terms of who will buy the land, how much do you expect to make from the sale, what will the site be used for, how will it affect the amount of traffic in the lower area of Park View and what consideration has been given to the impact this would have in the village?

There have been no discussions on the future of the site at this stage of the process as this would be presumptive, and even prejudicial, to the outcome of the consultation and prior to any decision being made by Shropshire Council Cabinet.

55. You state that the pupil numbers are expected to decline over the next 3 years. How have you come to this conclusion when it clearly conflicts with the published data from the Department for Education?

The response to question 48 references the accuracy of the forecast used by the local authority. The question above does not provide any details of the Department for Education published data and so it is not possible to respond fully.

56. As a parent residing in the Lawley Village area, we are aware that there are no places in any of the local schools, a point that was endorsed by MP Lucy Allen at the public consultation meeting. With the amount of development on the Telford & Wrekin border (where almost 50% of Buildwas pupils reside) are you able to inform me of what consideration has been given to this, and has this been considered with regards the future viability of Buildwas Primary School considering that there has been an increase year on year from these areas?

Telford & Wrekin Council has the statutory responsibility for the provision of sufficient primary school places for primary aged pupils in their own local authority area. The planning for this provision rests with Telford & Wrekin Council, as does the accountability to the Department for Education for delivery of this capacity. Equally the necessary capital investment required for any new build to accommodate the required additional capacity would be sourced by the Telford & Wrekin Council.

On the issue of there being no places in any of the local Telford & Wrekin primary schools, this is not borne out by information from Telford & Wrekin Council officers, which shows that 82.3% of the primary and infant schools have unfilled places and the total of unfilled places across the borough is currently 1,276.

57. I understand that as part of the statutory process, any schools impacted by the closure of another school requires a degree of consultation with regards to how the closure will impact. You have identified a number of schools that will be impacted, what has been the findings with regards to these consultations?

The following schools were formally notified of the proposal alongside other consultees on 7 September 2015 and have been directed to the Shropshire Council consultation portal: Broseley CE Primary, John Wilkinson Primary in Broseley, Barrow 1618 Free School, Much Wenlock Primary, Christ Church CE Primary in Cressage, St Lucia's CE Primary in Upton Magna and William Brookes School. The schools have until 18 October 2015 to respond. Any views received from the schools by this date will be presented to Cabinet on 28 October 2015 along with all other responses received during the consultation period.

58. Could you explain the Notice of Concern received by Buildwas Primary School in comparison to other local schools regarding those that have been running a deficit in pupil numbers?

When Buildwas Primary School was judged by Ofsted to require special measures in early 2013 the local authority wrote to the acting headteacher, as would be normal practice in such instances and was not specific to the school.

The letter advised of the Department for Education expectation that the governing body would explore a move to sponsored academy status. This was not a Notice of Concern.

59. Could you please explain what support has been given to Buildwas Primary School following concerns raised by the local authority and why it has not supported the school with regards to academisation, especially when this formulates one of the points in George Osborne 10 Point Plan for Boosting Rural Productivity?

The local authority has provided substantial and well targeted support to the school over time including the period before the school was judged to require improvement by Ofsted in 2013, following that inspection and again during and after the last inspection when the school was judged to require special measures. The local authority remains committed to supporting and challenging the school to secure improvement for pupils.

The extracts below from Ofsted inspections and monitoring visits confirm the extent and appropriateness of support from the local authority:

'The local authority has provided appropriate support for the school, especially in advising on how school leadership could be strengthened and further developed, and in supporting leaders throughout the school to develop their leadership skills.' Ofsted Inspection report April 2013

'The local authority has provided the school with extensive support. Much of this has been aimed at improving mathematics and the early years, and these are the two areas where the school can point to pupils making better progress than in the previous two academic years. The local authority raised concerns about the school's weak performance in February 2014 and has raised its level of support as a result.' Ofsted inspection report January 2015

'The local authority is providing an appropriate level of challenge and support to the school through regular meetings and reviews. The local authority knows the school well and has arranged a programme of effective and well-focused support including regular visits from the LLE. The staff have benefited from this support, particularly in the development of assessment procedures. The partnership with the LLE and her school is providing extremely valuable opportunities for Buildwas staff to observe good and outstanding practice.' Special measures monitoring inspection report June 2015

The local authority has been proactive in supporting governors to find a sponsor to enable the school to become an academy. The authority approached potential sponsors and worked closely with the Academy Broker from the Department for Education (DfE) and the Regional Schools Commissioner's Office to find a sponsor. Local authorities are not able to take a lead in securing an academy solution for a school - this is the role of the DfE. At the time when consultation on the proposal to close Buildwas Primary School began, neither the local authority nor the DfE had been able to find an academy that was prepared to sponsor the school. The interest of a potential academy sponsor emerged after the decision was taken by the Portfolio Holder to consult on possible closure.

60. Is it not the case that even if Buildwas Primary School were to close there would be a sustainability issue in relation to other small schools? Shouldn't the local authority have been more proactive and given direction to small schools to encourage their federation or academisation?

The local authority, through the Shropshire Schools Forum and the Council's Administration, has gone to some lengths in recent years to raise awareness of the demographic pressures facing a number of individual Shropshire schools or groups of schools due to falling pupil numbers. Briefings for councillors, headteachers and governors have been undertaken, while resources and information on collaboration and federation were and are still available on the Shropshire Learning Gateway.

A five year budget planning tool has been introduced – using forecast pupil numbers - to assist schools in financial planning, while workshops will be run this autumn term for some of the most financially vulnerable schools.

The local authority has been promoting and brokering collaborative and federative working arrangements for many years. There are now a number of established formal federations in Shropshire with many of the arrangements facilitated, and their development supported, by the local authority.

Between April 2013 and January 2015 six schools have become sponsored academies, with the local authority playing a role – in conjunction with the DfE who are the lead in such instances - in supporting the securing of these arrangements. The local authority has also supported a large number of schools which have chosen to convert to academy status.

61. Do you think it sound financial management by the local authority that schools are being allowed to run deficits, which are subsidised by the entire schools' budget, while Buildwas Primary School is facing closure? Surely that money would be better spent supporting the vital rural schools across the county?

Schools are not 'allowed' to run deficits. Where a school needs to go into deficit it does so under license to the local authority and has to evidence the measures and timeline by which the deficit will be recovered.

While the local authority, through the support of the Shropshire Schools Forum, manages the relationship with schools in deficit positions, it has limited ability to target resources through the school funding formula to specific schools, other than through the sparsity formula factor. The key factor that has the greatest impact on school budgets is the number of pupils, with the majority of funding going into schools via pupil-led factors.

62. What is the total deficit across Shropshire schools for the last academic year? How many schools ran a deficit? In this period, how many schools were issued with a 'Notice of Concern'?

A report to Shropshire Schools Forum on 18 June 2015 reported that, at the end of the financial year 2014-15, 11 Shropshire maintained schools were in deficit. The total deficit for these 11 schools was £1,353,263.

No Notice of Concerns were issued in the last academic year in relation to the failure of a school to manage their budget in line with an agreed deficit recovery plan and/or the requirements of a licensed deficit approval.

It is important to note that Shropshire Schools Forum, together with local authority finance officers, have extensive and robust measures for monitoring schools in deficit or planning to go into deficit. This includes regular meetings, the requirement to produce financial monitoring reports and a robust recovery plan. The local authority has also introduced a Schools in Deficit Protocol.

63. In the consultation document it is stated that families might be able to buy a place on an existing school bus. Can you please advise what buses currently provide a service through Buildwas?

The Temporary Seats Payment Scheme is designed so that temporary transport to and from school may be made available to those pupils not entitled to free school transport for a temporary period when and where seats are available. This scheme can only operate on dedicated school contracts and is currently available on the school transport currently serving Buildwas Primary School.

64. As part of the statutory process any school that might be affected by the closure of another school is contacted for their opinion, along with that of the parents whose children attend that school. Five schools have been identified that will be impacted by a potential closure. What has been the response from each of the schools and their parents about the potential impact on them?

See response to question 57 above.

65. At the public consultation meeting Lucy Allan MP was very clear that there is no more capacity within the Telford & Wrekin Council schools that support the areas closest to Buildwas. What consideration has been given to her comments and the fact that there are new homes being built in Doseley and Horsehay, which will inevitably bring more children into the area?

The response to question 56 advises that Telford & Wrekin Council has the statutory responsibility for the sufficiency of primary school pupil places in their own local authority area.

The response to question 46 indicates, that in the 5 closest non-denominational schools in Telford & Wrekin to the Shropshire border and

Buildwas Primary School, there are currently 210 unfilled places across all year groups.

The Telford & Wrekin Council Schools Admissions and Transport team have provided up-to-date data on the take-up of places in the authority's 54 primary and infant schools as of early October 2015. This shows that 9 of the schools are full or over capacity (16.7%), while there are 1,276 unfilled places (7.6%). This compares with 23 Shropshire schools (as at May 2015) full or at capacity (17.6%), and 3,167 unfilled places (13.6%).