

## **Pyworthy Church of England Primary School Closure**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendation is subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.***

**Recommendation: It is recommended that Cabinet approves the closure of Pyworthy Church of England Primary School (Voluntary Controlled) following completion of the statutory process with effect from 31 December 2015.**

### **1. Summary**

This paper provides an update on the current position at Pyworthy Church of England Primary School and a recommendation to proceed to closure.

### **2. Background/Introduction**

Pyworthy Church of England Primary School is part of the Holsworthy Federation including Holsworthy Community College, Black Torrington Primary School, Bradford Primary School and Bridgerule CofE (VC) Primary School.

The School has just 7 pupils on roll and numbers are not forecast to improve. Admissions for September 2015 total 2. The School has a net capacity of 42 places.

The School was inspected on 8 October 2014 and judged to require Special Measures and action plans were put in place. As an interim measure a part-time Head of Teaching and Learning was appointed. A primary lead is proposed across the Federation.

The school is located in Holsworthy Local Learning Community (LLC) and pupil numbers within the LLC have fallen significantly over the past few years with the closure of Broadwoodwidge Primary School in 2011 and West and East Putford Primary School in 2013.

As a result of the very low numbers in the School and the significant impact on teaching and learning the Governing Body decided to proceed to consult on the future of the School. A Cabinet Member decision, ratified on 10 December 2014, authorised that the statutory process for closure be implemented. This is in accordance with the presumption against closure contained within the Education Infrastructure Plan - unless there are clear educational reasons. The educational sustainability of any small school must also be demonstrated.

The school buildings are owned by the Exeter Diocese who will determine its future use. The playing fields are at present leased by Pyworthy Church of England Primary School from the Parish Council and the hiring arrangement will terminate on closure of the school following prior written notice. However, in order to give the Parish Council sufficient notice the Federation will continue with the lease until July 2016.

### **3. Proposal**

The Governing Body of the School took the decision to proceed to consult on the future of the School as a result of the low pupil numbers, the Ofsted report, the future financial viability of the School and the need to provide continuity and consistency in teaching and learning including a full and balanced curriculum.

The projected future pupil numbers living in the area are only: 2016/17 – 5, 2017/18 – 2, 2018/19 – 4 and the School has historically not attracted all its “in area” number. The school has a vulnerable budget.

There are sufficient school places in the area to accommodate the displaced children. New housing development is proposed in Holsworthy and future education investment planning is being undertaken in the area to ensure that there are sufficient pupil places to meet demand. The area currently served by Pyworthy CofE Primary School will be re-designated and this will be consulted upon separately, taking into account transport implications, distance and ease of journey to the nearest school. The nearest primary schools to Pyworthy are Holsworthy CofE (2 miles) Bridgerule CofE (2.3 miles) and Clawton (3.5 miles). Holsworthy Primary and Bridgerule Primary Schools were rated ‘Good’ at their last Ofsted inspection and Clawton Primary School was rated as ‘Outstanding’.

### **4. Options/Alternatives**

Following the Ofsted Inspection on 8 October 2014, the Federation implemented increased leadership measures in the interim to ensure the School moved towards improvement. However, this has proved difficult in terms of staff recruitment and the current arrangement is not sustainable in the long term.

The Federation has considered alternative solutions including academy sponsorship, which is a Department for Education requirement for schools in Special Measures. Discussions took place with the Department for Education but no viable option was available.

An approach was received from the St. Christopher’s Academy Trust which related to all the schools within the Holsworthy Federation and not to Pyworthy Primary School only. Therefore, the Governing Body of Pyworthy was unable to consider this approach. The Exeter Diocesan Board of Education had objected to the possible closure as part of the consultation in view of the proposal from the St. Christopher’s Trust but since withdrew its objection considering that the School is not viable as a stand-alone school and therefore there is no alternative but closure.

### **5. Consultations/Representations/Technical Data**

The statutory consultation on the future of the School took place between 5 January and 13 February 2015. A public consultation event was held on the 14 January 2014 and was well attended by parents, staff, residents and community representatives. There were concerns and sadness over the possible closure of the School, the effect on the Village in terms of community cohesion and attracting families to the area, lack of previous knowledge of the situation and the proposal from the St. Christopher’s Academy Trust.

The Governing Body considered the responses to the consultation but was seriously concerned on the impact on teaching and learning with so few pupils and future financial viability. The Governing Body therefore agreed to proceed to Brief Notice in view of the fact that none of the objections could be classed as materially significant.

A brief notice in the North Devon Journal was issued on 14 May 2015 and the period for representations ended on 11 June. Three responses to the brief notice have been received relating to the management of the school and the loss of the local school and impact on the village.

## **6. Financial Considerations**

Following the government's principle that more money must follow the pupil, over 90% of the schools funding formula is based on pupil led factors. Whilst there is still funding for small rural schools through the sparsity factor, schools with very low pupil numbers nonetheless become less viable. In recent years the pupil numbers at Pyworthy have fallen from 51 to 11 at the start of the consultation and at present 7 pupils are on roll.

A reduction in pupil numbers will see a significant reduction in funding and with a forecast of low pupil numbers Pyworthy Primary School is identified as being in an unstable position financially.

## **7. Environmental Impact Considerations**

An assessment of the transport and travel needs of the 7 pupils at Pyworthy CofE Primary School will be made and sustainable travel and transport modes will be promoted in accordance with Devon County Council's Environmental Policy and School Transport Policy.

## **8. Equality Considerations**

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/ new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

An impact assessment has been prepared, a copy of which has been circulated to Cabinet Members and is available alongside this report on the Council's website at: [http://www.devon.gov.uk/index/councildemocracy/decision\\_making/cma/index\\_exc.htm](http://www.devon.gov.uk/index/councildemocracy/decision_making/cma/index_exc.htm)

## **9. Legal Considerations**

There are no specific legal considerations in relation to these proposals.

## **10. Risk Management Considerations**

This proposal has been assessed and all necessary safeguards included in relation to the Council's position.

## 11. Public Health Impact

The proposals will take into account the requirements and health and wellbeing of its local community.

## 12. Summary/Reason for Recommendation/Conclusion

The decision-makers' guidance to which the Cabinet will need to have regard is attached at Appendix I. Pyworthy CofE Primary School is designated as a rural school.

Following the Ofsted inspection the Federation has implemented a number of strategies to move the school forward. However, Pyworthy Church of England Primary School now only has 7 pupils on roll and the Local Authority must give priority to the best interests of the pupils, the impact on teaching and learning and the future educational sustainability of the School and wider Federation and recommend closure of the School with effect from 31<sup>st</sup> December 2015.

Dave Black  
Head of Planning, Transportation and Environment

## Electoral Divisions: Holsworthy Rural

Cabinet Member for Children Schools and Skills: Councillor James McInnes

*Strategic Director, Place: Heather Barnes*

### Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Reference
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Nil

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hk 05 260615

**Department for Education  
School Organisation Maintained Schools  
Extract from Guidance for Proposers and Decision-Makers**

**Closure proposals (under s15 EIA 2006)**

The decision-maker should be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall quality of provision, the likely supply and future demand for places. The decision-maker should consider the popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for those schools.

**Schools to be replaced by provision in a more successful/popular school**

Such proposals should normally be approved, subject to evidence provided.

**Schools causing concern**

For all closure proposals involving schools causing concern, copies of the Ofsted monitoring letters for the relevant schools should be made available

<http://reports.ofsted.gov.uk/inspection-reports/find-inspection-report/provider/ELS/113383>

Decision-makers should have regard to the length of time the school has been in special measures, requiring improvement or otherwise causing concern. The decision-maker should also have regard to the progress the school has made, the prognosis for improvement, and the availability of places at other existing or proposed schools within a reasonable travelling distance. There is a presumption that these proposals should be approved, subject to checking that there are sufficient accessible places of an acceptable standard available to accommodate displaced pupils and to meet foreseeable future demand for places in the area.

**Rural schools**

There is a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure should be strong and the proposal clearly in the best interests of educational provision in the area<sup>9</sup>. Those proposing closure should provide evidence to show that they have carefully considered the following:

alternatives to closure including the potential for federation with another local school or conversion to academy status and joining a multi-academy trust or umbrella trust to increase the school's viability;

Not applicable where a rural infant and junior school on the same site are closing to establish a new primary school on the same site(s).

- the scope for an extended school to provide local community services; and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc.;
- the transport implications; and

- the overall and long term impact on local people and the community of closure of the village school and of the loss of the building as a community facility.

When deciding a proposal for the closure of a rural primary school the decision-maker must refer to the Designation of Rural Primary Schools Order to confirm that the school is a rural school.

For *secondary schools*, the decision-maker must decide whether a school is to be regarded as rural for the purpose of considering a proposal. In doing so the decision-maker should have regard to the department's register of schools – EduBase10 which includes a rural/urban indicator for each school in England. Where a school is not recorded as rural on Edubase, the decision-maker can consider evidence provided by interested parties, that a particular school should be regarded as rural.