

Proposed closure of Chittlehampton Church of England Primary School

Report of the Director of Climate Change, Environment and Transport

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

Recommendation: that the Cabinet be asked:

- (a) to approve the closure of Chittlehampton C of E Primary School from 31 August 2022 and;
- (b) to approve the proposed new designated areas for the area currently served by Chittlehampton C of E Primary School to inform school transport eligibility.

1. Summary

The Governing Body of the Devon Moors Federation brought forward a statutory proposal to close Chittlehampton C of E Primary School. The Local Authority is the decision-maker, following completion of the statutory process. Consideration now needs to be given to the responses received during the statutory process, as well as the reasons for bringing this proposal forward, in order to determine whether Chittlehampton C of E Primary School should close from 31 August 2022.

2. Introduction

Chittlehampton C of E Primary school is a small, rural primary school for children aged 3-11. The school is part of The Devon Moors Federation, which consists of Spreyton School, Copplestone Primary, Filleigh Community Primary, Kilmington Primary, Shute Primary and Chittlehampton C of E Primary Schools. Chittlehampton Primary historically operates as a two class school due to the number on roll. The school has a published admission number of 8 with a capacity for 56 pupils. The school has been under-subscribed for a number of years and pupil numbers have consistently fallen to a level significantly short of the school's published admission number and capacity. The school currently has only 15 pupils on roll. Five of the fifteen pupils are in Year 6 and will be leaving the school in July. There has been only one first preference for admission to the Reception class in September 2022. In Autumn 2021, of the 45 children (Reception to Year 6) living in the designated area of Chittlehampton C of E Primary School and attending a Devon School, only 15 children attended Chittlehampton Primary School.

3. Proposal

Chittlehampton C of E Primary School is recognised by Ofsted as being a Good school (April 2018) and the Federation is strong with the federated schools working

in close partnership to provide the best possible education for all children. However, delivery of a broad and balanced curriculum at Chittlehampton C of E Primary School is very difficult with such a small and decreasing number of children. A single class school is educationally challenging for children with such a wide age group being taught together. A single mixed age class in a small rural school amplifies the issue of teaching mixed ability groups. Social and emotional development would also be very challenging.

A review of area health authority data which provides the number of 0-4 year olds living in the school's catchment area shows very low numbers of pre-school aged children. There is a small increase in the number of pre-school aged children living in the catchment area who would be due to start school in 2025, however, parental preference for admission to the school has been low in recent years. The school serves a large catchment area where often other primary schools are nearer than the school in the village.

In the District Council's Local Housing Plan, there is an allocated site for development at Chittlehampton but this is only for 20 dwellings. A development of 20 family dwellings would be expected to generate approximately 5 primary aged pupils based on empirical research by Devon County Council.

4. School places for displaced pupils

There is sufficient capacity across local schools to accommodate the children from Chittlehampton C of E Primary School. Details of capacity available across the local schools is available in the published Statutory Full Proposal available via: [Proposed closure of Chittlehampton C of E Primary School: formal representation period - Have Your Say \(devon.gov.uk\)](#)

The nearest school to Chittlehampton C of E Primary School is Umberleigh Primary School (1.8 miles, as the crow flies). The next nearest school is Filleigh Primary School (2.4 miles, as the crow flies). Filleigh Primary School is in the same Federation as Chittlehampton C of E Primary School and is proposing to move to a four class school and can accommodate all of the children from Chittlehampton C of E Primary School. Filleigh Primary and Umberleigh Primary are Ofsted rated 'Good' schools. Both Filleigh and Umberleigh Primary Schools offer Nursery provision.

Chittlehampton Primary School is a Church of England School. The nearest Church of England Schools from Chittlehampton village (as the crow flies) are: Swimbridge C of E Primary School (3 miles), High Bickington C of E Primary School (3.8 miles) and South Molton C of E United Primary School (4.6 miles). The capacity and distance to all local schools are published in the Statutory Full Proposal as per the link provided above.

5. School transport for displaced pupils

All children are entitled to free home to school transport, in line with [DCC's home to school transport policy](#), if they attend the nearest school to their home address and they:

- are of statutory school age

- live more than two miles away by the shortest walking route (for primary)
- live under two miles away but all walking routes are considered unavailable.

Children in Devon are also entitled to free school transport to the school designated to serve their home address - provided it is still further than the statutory walking distance.

The nearest school to Chittlehampton Village is Umberleigh Primary School. The distance is under two miles but the walking route from Chittlehampton village to Umberleigh Primary School is considered unavailable. Therefore, subject to the families home address, it is likely that children living in the village of Chittlehampton will have a statutory entitlement to free school transport to Umberleigh Primary School on closest school grounds. If there is not space at Umberleigh, then parents are entitled to free school transport to their next nearest school with space and dealt with through the LA's School Transport Policy.

A consultation has taken place with all schools in the Local Learning Community on the proposed new designated school/s for the area and also taking into account parental views expressed at the initial consultation stage. The current designated area is attached at Appendix 1 and the proposed new designated areas recommended for approval by the LA is at Appendix 2.

6. Staffing

All affected staff and recognised trades unions have been notified of the proposals and invited to submit responses to the public consultation.

A separate redundancy consultation process will need to be arranged for staff regarding the possible closure after a decision is made.

The staffing complement at the School consists of 7 staff.

In the event of closure, the Governing Body would aim to mitigate the number of redundancies by seeking redeployment opportunities within the Federation. It would also support staff in finding alternative employment outside of the Federation.

An estimate of potential redundancy costs could amount to approximately £76,000 but it is difficult to pre-empt what the eventual figure might be at this time.

The timing of the decision, if closure is confirmed in June, will mean notice for any teaching staff made redundant, and their employment will have to run until the 31st December 2022.

7. Options/Alternatives

The Devon Moors Federation requested support from Devon's Financial Intervention Panel (FIP) to financially support the school due to a continued falling roll, low admissions to the school and the level of funding the Federation has diverted to support the school's sustainability. The Panel considered the request in detail, in particular the future demographics within the catchment area and the likely

admissions into the school. Unfortunately, the panel could not support the request and had to conclude that there was no certainty that numbers would increase in the medium term to a sustainable level, dropping to only potentially 11 children on roll.

Central Government set out the guidance on calculating budget share for individual schools in the National Funding Formula (NFF). The expectation is that the Local Authority move to align local funding practices with the NFF in anticipation of the hard formula which will remove any local variation. Chittlehampton is receiving the full funding that would be available to the school under the hard formula, with the exception of a fairly small amount in sparsity funding. There is nothing within the current Devon Funding Formula, as agreed by Devon Education Forum (DEF), or the full NFF that allows for the additional funding needed for Chittlehampton to be financially sustainable, because funding is to a large extent intentionally driven by pupil numbers.

The Diocesan Board of Education and the School considered alternatives to closure and discussions were held with a representative of the Regional Schools Commissioner and some local Multi Academy Trusts. However, it was felt that the school was unsustainable with such low numbers which was not forecast to increase in the medium term or beyond.

8. Pre-Publication Consultation

The informal consultation period was held between 14 February to 4 April 2022. A consultation information session was held at the school on 3 March 2022. Five parents attended the consultation session.

The consultation document, a report of the consultation event and response is available at: [Consultation on the future of Chittlehampton C of E Primary School - Have Your Say \(devon.gov.uk\)](https://www.devon.gov.uk/consultation-on-the-future-of-chittlehampton-c-of-e-primary-school-have-your-say).

The children have also been talking about the possible closure with the Head of School. The children have been discussing their worries and thoughts and some of these are shared in the report of the consultation event above. Their feelings range from some positive thoughts, for example “I can make lots of new friends” and “Already have friends at Filleigh” to understandably some anxious and sad thoughts, for example: “Will we be with our friends again?”, “So many memories will be left behind – we love this school” and “I’m worried I won’t make new friends”.

15 responses were received to the consultation from 13 respondents, mainly from parents and local residents. A summary of these responses is attached at Appendix 3. Consultation responses in full can be made available for Members to view on request prior to the Cabinet meeting.

The consultation responses are considered and addressed in the published Full Statutory Proposal available via: [Proposed closure of Chittlehampton C of E Primary School: formal representation period - Have Your Say \(devon.gov.uk\)](https://www.devon.gov.uk/proposed-closure-of-chittlehampton-c-of-e-primary-school-formal-representation-period-have-your-say)

Following consultation, the Devon Moors Federation considered the responses received and agreed to move to the formal representation period on the closure of

the school. Due to this decision, the LA commenced a consultation on proposals for a new designated area should the school close. This was so a decision could be made by Cabinet on the closure of the school as well as the new designated area to provide certainty to parents when securing a school place for September 2022.

9. Formal Representation Period

The formal representation period on the closure of the school ran for a four week period from 25 April to 23 May 2022 in accordance with DfE regulations.

One objection has been received from a parent. The parent strongly believes that a Nursery Class within a primary school setting is important for preparing pre-school aged children for school. The parent is against the closure of the Nursery Class within Chittlehampton Primary School and states that the Council has already denied such a preschool within South Molton town as DCC have said there is sufficient capacity. The respondent disputes this and is against the closure of a Nursery Class so close to South Molton which makes sending a child to a Nursery Class within a school even more difficult. The respondent does not agree that the closure of the school is in the children's best educational interest as the school provides a high standard of education regardless of the wide age range being educated together. The parent feels that the school should be given more time to raise its profile locally to attract children, especially given the children predicted to start in 2025.

In response to this representation, the school has not attracted pupils from within its large catchment area which is one of the primary reasons the Governors have consulted on closure and therefore the potential for increased admission in September 2025 does not reflect the historical pattern within the school's catchment area. There is currently only one child attending the nursery class and there is not an early years sufficiency issue within South Molton town with the potential to deliver school-based early years provision as and when the need arises within the town. The Devon Moors Federation have been debating the future of the school for a number of years and have moved to this decision due to the very low numbers on roll for September 2022 and beyond.

The LA consultation on the proposed new designated area took place from 29 April to 16 May 2022 with all schools in the South Molton Local Learning Community and surrounding schools to Chittlehampton. The current designated area is attached at Appendix 1 and the proposed new designated areas recommended for approval is at Appendix 2.

The Governors of the Devon Moors Federation responded to the consultation and feel that the new catchment divisions favour Umberleigh Primary School and do not take into account that Filleigh Primary School is in the same federation as Chittlehampton, especially as some parents have been informed there may not be space at Umberleigh for their children. Governors feel it is nonsensical to push more children towards an almost full school. It is also against the general feeling of parents that Filleigh is preferred by the majority. Filleigh School very much want to support the children of Chittlehampton village both in the initial transfer and moving into the future and the proposed plans do not allow for this.

Kings Nympton Primary School asked for consideration, as a small village school close to Chittlehampton, to extend the proposed catchment area to include Kings Nympton so that families can access a village school similar to one they have been used to. The school have said that they face similar challenges to Chittlehampton and would greatly appreciate the opportunity to have an extended catchment area.

Under the proposals, Kings Nympton Primary School are gaining an enlarged catchment area with a net gain of 68 dwellings from the inclusion of Chittlehamholt.

The rationale is to share existing and future cohorts between surrounding schools whilst taking into account future capacity, keeping the area within the same Local Learning Community as far as possible, avoiding splitting villages between primary schools and to minimise any impact on the LA transport liability.

It is recommended that the village of Chittlehampton itself is designated to Umberleigh Primary School as the nearest school as outlined at Appendix 2.

10. Presumption against closure of rural schools

Chittlehampton C of E Primary School is designated as a rural primary school. Under section 15 of the Education and Inspections Act 2006, 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 a proposal must be in the best interests of education provision in the area. The factors to be considered in closing a rural school, as outlined in Appendix 4, have been fully considered by the Governing Body and the Local Authority.

All the factors to consider are addressed in this report and within the accompanying Impact Assessment.

11. Strategic Plan

One of the priorities in DCC's Strategic Plan 2021-2025 is 'Being ambitious for children and young people' and is to ensure that children and young people have the best possible start in life, good health and emotional wellbeing. We want children to achieve their potential and Devon will promote high standards in schools and help to address any areas of weakness. Whilst the immediate effects of closure can be stressful, the long term effects can be beneficial to pupils in terms of educational and social development. Schools have unfortunately closed periodically across the county. However, we have seen good practice with children being fully supported by their existing schools and through transition to their new schools. The underlying benefit to the children will be to provide an educational offer that is educationally and financially sustainable.

12. Financial Considerations

There is no capital expenditure related to this proposal since there is sufficient capacity amongst nearby primary schools to accommodate displaced pupils from Chittlehampton.

The likely cost of free school transport to other schools will depend on transport eligibility to the nearest and designated school to the families home address and on parental preference. An estimate is £33,000 per year.

Any cost of redundancies will be met within existing budgets.

The Diocese have confirmed that the school building is vested in the Vicar and Churchwardens of the parish of Chittlehampton as Trustees who will determine its future use. The school playing field is owned by the Parish Council. There may be fees and dilapidation costs associated with the closure arrangements for the school.

13. Legal Considerations

The relevant Department for Education statutory guidance and legislation has been fully considered in bringing this proposal forward. Proposers and decision-makers must have regard to it when carrying out duties relating to the closing of an existing maintained school. This includes the DfE statutory guidance on Opening and Closing Maintained Schools, November 2019 and the School Organisation (Establishment and Discontinuance of Schools) Regulations 2013. All statutory requirements have been met. The decision-makers guidance to which Cabinet will need to have regard is attached at Appendix 4.

The LA must make a decision within a period of two months from the end of the representation period (23 May 2022) or the case must be referred to the Schools Adjudicator.

14. Environmental Impact Considerations (Including Climate Change)

An Environmental analysis has been included in the published Impact Assessment. The Impact Assessment has been circulated separately to Cabinet Councillors and is also available alongside this Report on the Council's website at: <https://www.devon.gov.uk/impact/chittlehampton-primary-closure/>, which Councillors will need to consider for the purposes of this item/meeting.

In respect of Devon's historic heritage, the school was founded in 1865 and is a Grade II listed building. The Diocese have confirmed that the school building is vested in the Vicar and Churchwardens of the parish of Chittlehampton as Trustees who will determine its future use. The school playing field is owned by the Parish Council. There has been no consideration of land ownership in bringing the proposal forward and no discussion regarding the future of the school site.

There is likely to be increased vehicular use if the school is closed which will have an adverse effect on minimising pollution and climate change. Private car use will be mitigated to some effect by the use of home to school transport. Buses and coaches are cleaner than cars on a per passenger basis.

The economic and environmental benefits that a school brings to its local community must be considered a beneficial side effect to the main duty of a school which is to provide quality education to its pupils. The numbers on roll, academic standards and

financial sustainability must be the major considerations in any decision on the future of a school.

15. 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.

The Council has exercised its Public Sector Equality Duty. In progressing this proposal, an Impact Assessment has been prepared which has been circulated separately to Cabinet Councillors and is also available alongside this Report on the Council's website at: <https://www.devon.gov.uk/impact/chittlehampton-primary-closure/>, which Councillors will need to consider for the purposes of this item.

The consultation has been open and fair and undertaken as per best practice guidance and with regard to Cabinet Office guidance on consultation principles.

Should it be agreed that the school should close on 31 August 2022, all families will be able to express a preference for three schools. Where schools are oversubscribed, admission authorities will rank applications in accordance with their determined arrangements. Oversubscription criteria must be reasonable, clear, objective, procedurally fair and comply with all relevant legislation, including equalities legislation. As per the School Admissions Code of Practice, admission authorities must ensure that arrangements will not disadvantage unfairly, either directly or indirectly, a child from a particular social or racial group, or a child with a disability or special educational needs.

16. Risk Management Considerations

This policy/proposal has been assessed and all necessary safeguards or action have been taken/included to safeguard the Council's position.

If this recommendation is agreed, the LA, Diocesan Board of Education, the Federation and, if applicable, South West Norse, will carefully manage the closure process to minimise or mitigate any risk in respect of the building and its contents, including student records.

17. Public Health Impact

There are no implications of the proposals on public health services in the area.

18. Reasons for Recommendations

It is recommended that Chittlehampton C of E Primary School is closed from 31 August 2022. Although the proposal will lead to the loss of the school, the Governing Body, the Local Authority and the Diocesan Board of Education believe that the proposal is in the best educational interests of the children in the future as the school is neither educationally or financially sustainable.

Meg Booth
Director of Climate Change, Environment and Transport

Electoral Divisions: Chulmleigh and Landkey
South Molton
Torrington Rural

Cabinet Member for Children's Services and Schools: Councillor Andrew Leadbetter

Local Government Act 1972: List of Background Papers

Contact for Enquiries: Simon Niles, School Place Planning and Admissions
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Tel No: 01392 383149 Room: 120, County Hall

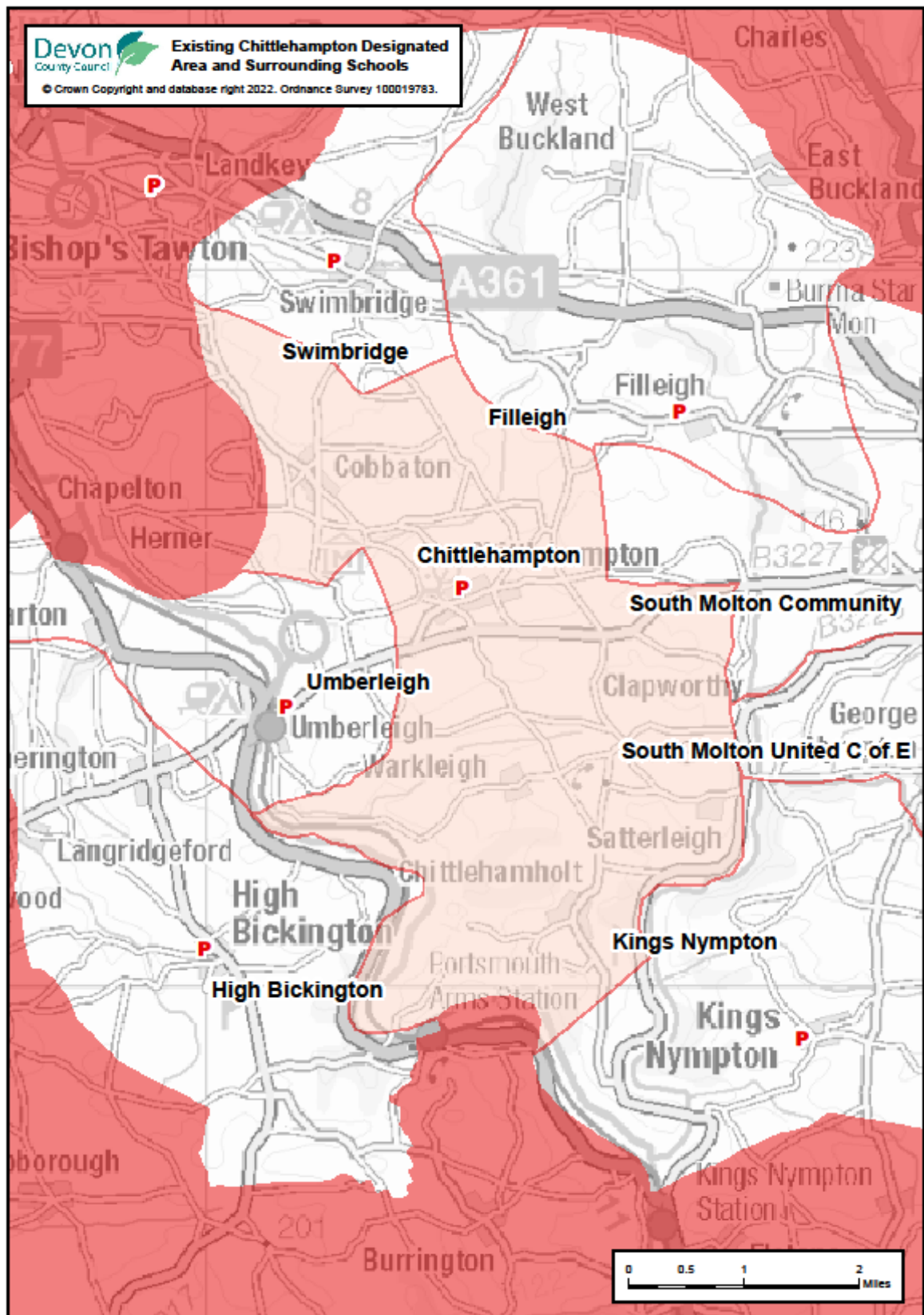
Background Paper	Date	File Reference
Impact Assessment	May 2022	
Admission & Education Transport Policies for 2022-23	12 February 2021	

The above mentioned Reports are published on the Council's Website at:
<http://democracy.devon.gov.uk/ieDocHome.aspx?bcr=1>

Proposed closure of Chittlehampton Church of England Primary School – Final

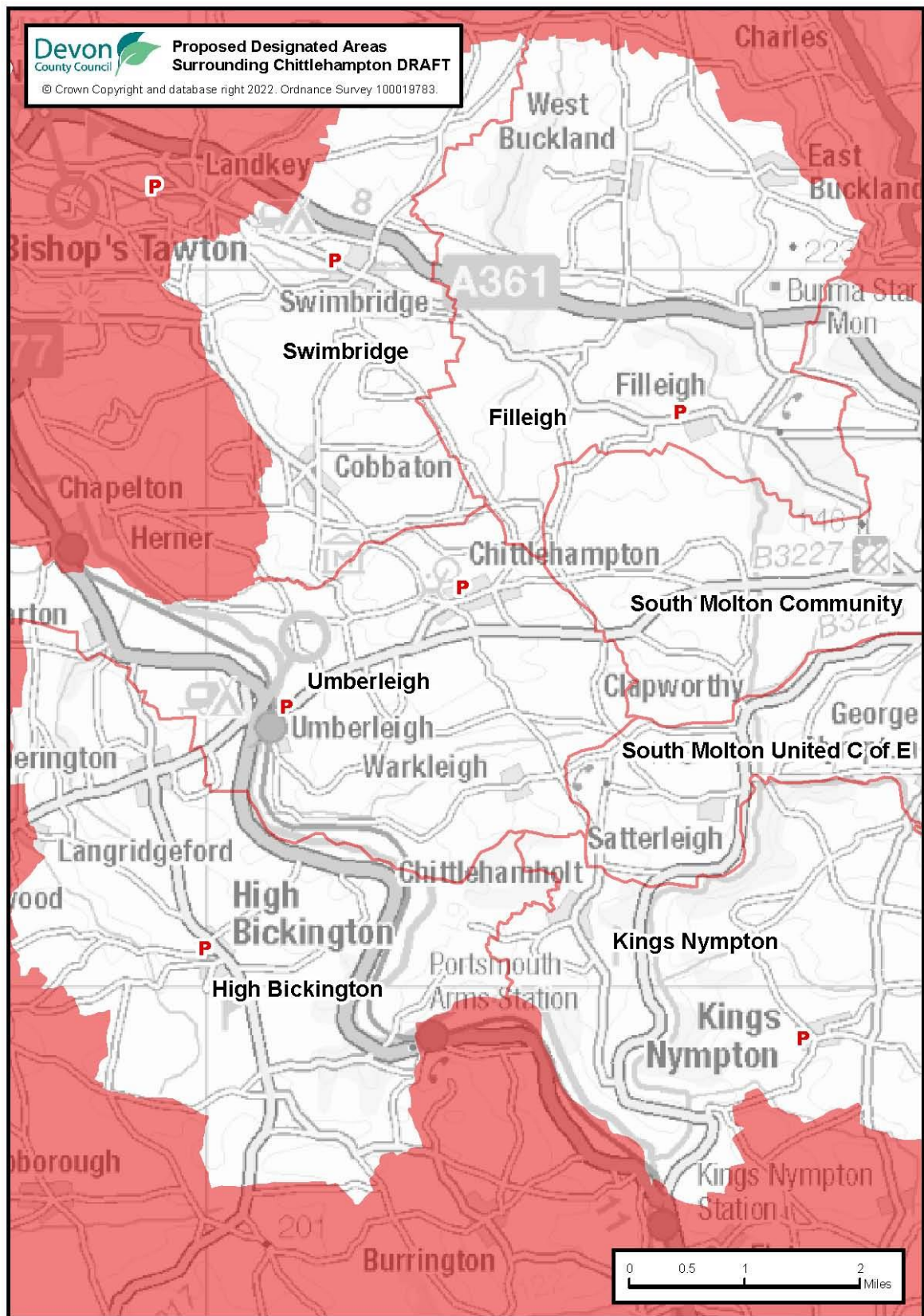
Appendix 1 to CET/22/5

Existing Chittlehampton Designated Area



Appendix 2 to CET/22/5

Proposed New Designated Area



Appendix 3 to CET/22/5

Count	Objection/ Comment	Comments
1	Objection	The parent expressed frustration that the town schools are expanded when there is capacity in rural areas and the rural schools suffer. The parent felt that rural schools should be given extra support by the council to stay open and to encourage local families to use their nearest schools. It was felt that it would be beneficial for families if the council could provide extra support for before and after school care to small rural schools which would increase pupil numbers and questioned what the policy was to support small schools. The respondent also wrote a second response sharing information re. flexi schooling and whether this could help save the school from closure: https://rackenford-primary.devon.sch.uk/wp-content/uploads/2021/05/Flexi-Schooling-RPS-21.pdf
2	Comment	Shared a scheme in Somerset where a small primary school linked up with a neighbouring rural school with the younger children taught at one site and the older children on the other site with a minibus transporting pupils in a loop.
3	Objection	Expresses disappointment with the decision to possibly close the school. Will be an absolute loss to the village and will not attract any younger people to live in the village. Will have such a negative effect on all the children. Concerns that children have already had two years of upset with Covid disruptions. Having to tell children their school may close is heart-breaking. Parent feels that DCC need to think about changing the school admissions system and feels that giving parents three preferences is unnecessary especially when parents do not pick the school which is in their catchment area. The respondent feels this should be seriously questioned with parents, and parents even denied a place at other schools when there is a perfectly good school on their doorstep with a Good Ofsted and even federated with the other school. The parent responds that if the children that lived in the village attended the school then we wouldn't be in this situation. Parent raised questions regarding arrangements for children who will be going to Filleigh in respect of free school transport and queries regarding transport for breakfast clubs as they are a valuable resource for working parents.
4	Comment	Consultee was very sorry to read the school may close as fond memories of visiting the school in days when attended Filleigh Primary back in the 80s and 90s. Respondent works in SEN and has set up a company called Propel Education who currently run a small special needs school in a village of Somerset. The school has 12 children from all over Somerset travelling to the school and therefore the respondent would be interested in whether they could lease Chittlehampton School building to be used as Independent Special School for Primary children.
5	Objection	Respondent wrote to voice their concerns, enrolled child to start in September and child is super excited and the school was chosen to enable family to walk to school. More houses are planning to be built in the area and respondent acknowledges this is only predicted to bring 5 more children but feels this is not high enough estimate.

6	Objection	Respondent feels the closure will not encourage families to live in the village. Parent feels the children have had two years of Covid, the upset of not attending school or seeing family and friends and just when things start getting back to normal their school is taken away. This will cause emotional distress. The parent questioned re. transport to school and if transport would be provided to enable children to attend breakfast clubs for parents that work. The parent queried if there would be buses going to different schools locally. Respondent felt more could have been done to promote the school and feels the Council needs to look at how the admissions system works and allowing parents three preferences: parents should go to the closest school in their area, unless there are special circumstances. Respondent feels the Council want small schools to close and are not supporting local village schools.
7	Objection	Would like the school to remain open and schools are a boost to any local area. It helps families and prevents long travelling time to other schools. A school generates money for the local area. The school could be used for community activities as well as well as help children and adults with mental health needs because of Covid.
8	Concern	Closure would be a real shame and loss to the community. Would consider moving to the village to start a family but the lack of a school within walking distance would make a move unlikely. Also understand there are plans to build new housing near the Cobbaton Road end of the village - the respondent feels the lack of a village school would be a deterrent to young families.
9	Objection	Parent feels very sad about the possible closure of the school on the children attending but also the impact on the village and on families who come to the area in future. Child has been very happy at school and parent has been really impressed with the standard of education, socialisation and experiences provided. Being a small school, the teachers know all about the children they teach and tailor learning opportunities to suit them. Feels closure will deter families from moving to the village and feels sad that more has not been done to encourage attendance over the last five years. Feels that parents were not able to use the pre-school due to restricted hours and a lack of after school clubs and care. The parent also wrote a second response concerned that she had visited Umberleigh Primary School but had been told there would unlikely be a place for her child at the school.
10	Objection	This will have a great impact on the community. Respondent understands the school is going through a lean patch but feels the school should remain open and more work should be done to promote the school and pre school. There is so much building going on in South Molton that the schools there won't be able to cope and many parents may wish to send their children to a small village school. Feels closing the school is short sighted.

11	Concern	<p>Chose the school as family live in the village and the school had a good Ofsted report. Following the consultation meeting, the respondent has found it hard to come up with an argument against the school closure. When it is voiced that the education would be severely compromised if the school was to remain open, all hopes of a miracle were dashed. The parent felt that you cannot argue this fact, but from a key stage 1 point of view, her child has thrived being in a small class. Respondent feels that if the pre school had been promoted more it would have attracted families with younger children who would have stayed on into the school. Believe that Umberleigh Primary had great success with this and this could be why some of the families attend Umberleigh rather than Chittlehampton. Another negative is the lack of after school groups the school offers. Some families have had to go to other schools to access wrap around care for their children. We have been lucky to have a breakfast club but the after school clubs are lacking.</p>
12	Concern	<p>Parents of children at the school and have nothing but high praise for the staff at the school; children thrive and are part of a wonderful community. Feel that not having a school within the village will be detrimental to the wider community. However, do recognise that such low numbers going forward will have a negative impact on children's education and however much we wish the school to stay open we would not want the children to be affected or disadvantaged in any way. The parent feels that should the school close, parents should given their first choice of school and that it is only fair that DCC provides some sort of transport. Preference would be for children to remain within the school federation and attend Filleigh School - could Filleigh become the designated school for the village of Chittlehampton. Will provision be made by the federation for the future employment of all staff associated with the school?</p>

13	Objection	<p>Resident in the village and sent both children to the school. Feels it will be a tragedy for the school close. Feels strongly that the Federation has not worked for Chittlehampton and has never achieved its aims and believed that closing the school was the plan from the very beginning. Loss of a dedicated Head Teacher was a blow to the school. Respondent feels the Federation was a cost cutting exercise and feels that the other schools within the Federation not wanting to 'prop up' Chittlehampton undermines the ethos of federation. There appears to be no investment in Chittlehampton School be it financial, technical or things like after school care so parents could work. There was a lack of proactive marketing. Feels there should have been a better vision of the future and investing in areas to keep the school viable e.g. breakfast club and pre-school were up and running too late. Respondent wonders if Chittlehampton would have done better on its own. Respondent says it should be recognised that there are numerous children in Chittlehampton who don't attend the school and this needs to be understood to help boost pupil numbers. Respondent also points out that there are many houses up for sale in the village which may bring more children to the school and there are several planning applications in progress or approved which will see 6 houses built. There may also be another housing development built which may bring more opportunities. To continue to attract families to the community and to maintain a thriving community is to keep the school open at all costs. South Molton Primary School is oversubscribed at present and there is going to be a huge influx of people with all the new housing being built. There could be a small influx of children from neighbouring communities where parents are looking for something different for their children. It's a shame the Local Authority does not have a policy that supports smaller schools by promoting them and then facilitating access to children from oversubscribed schools - travelling to make use of the schools with capacity. Surely this could be better value than investing in the expansion of larger schools. The school has a wonderful Christian ethos that we need to retain. By keeping the school open you are also helping to keep the church alive. The advantages of a small school that can support unique teaching is great. Do not feel it is the case that curriculum delivery will be compromised in the future due to pupil numbers. Small class sizes are a bonus, with children basically receiving one to one tuition. Have all options been explored? Could the school become an Academy? Could the school re-federate?</p>
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Appendix 4 to CET/22/5

Guidance for decision-makers

This section sets out the considerations that should be made by the LA when deciding proposals to close a school.

The decision-maker must have regard to the statutory guidance contained in this document: [Opening and closing maintained schools, November 2019](#)

Extract from DfE Statutory Guidance

In all cases, the decision-maker should be satisfied that the proposer has carried out the statutory process satisfactorily and should have due regard to all responses received during the representation period.

Rural schools and the presumption against closure

Decision-makers should adopt 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 a proposal must be clearly in the best interests of educational provision in the area. When producing a proposal to close a rural primary school, the proposer must consider:

- the likely effect of the closure of the school on the local community;
- the proportion of pupils attending the school from within the local community i.e. is the school being used by the local community;
- educational standards at the school and the likely effect on standards at neighbouring schools;
- the availability, and likely cost to the LA, of transport to other schools;
- whether the school is now surplus to requirements (e.g. because there are surplus places elsewhere in the local area which can accommodate displaced pupils, and there is no predicted demand for the school in the medium or long term);
- any increase in the use of motor vehicles which is likely to result from the closure of the school, and the likely effects of any such increase; and
- any alternatives to the closure of the school.

Factors to consider when determining proposals Demand and need

When determining proposals to discontinue (close) provision, the decision-maker should be satisfied that there are sufficient surplus places elsewhere in the local area to accommodate displaced pupils, and the likely supply and future demand for places in the medium and long term. The decision-maker should take into account the overall quality of alternative places in the local area, balanced with the need to reduce excessive surplus capacity in the system. The decision-maker should have regard for the local context in which the proposals are being made, taking into account the nature of the area, the age of the children involved and, where applicable, alternative options considered for reducing excess surplus capacity.

School size

Decision-makers should not make blanket assumptions that schools should be of a certain size to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration. The decision-maker should also consider the impact on the LA's budget of the need to provide additional funding to a small school to compensate for its size.

Balance of denominational provision

In deciding a proposal to close a school that has been designated with a religious character, decision-makers should consider the effect that this will have on the balance of denominational provision in the area, as well as taking account of the number of pupils currently on roll, the medium and long term need for places in the area, and whether standards at the school have been persistently low.

Community services

Some schools may be a focal point for family and community activity, providing extended services for a range of users, and their closure may have wider social consequences. Where the school is providing access to extended services, provision should be made for the pupils and their families to access similar services through their new schools or other means.

The decision-maker should be satisfied that the proposer has carried out the statutory process appropriately (as set out in part 4 of this guidance) and should have regard for any responses received during the representation period.

Equal opportunity issues

The decision-maker must have regard to the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to: • eliminate discrimination; • advance equality of opportunity; and • foster good relations between people with a protected characteristic and those without that characteristic. The decision-maker must consider the impact of the proposals on the relevant protected characteristics and any issues that may arise from the proposals

Travel and accessibility

The decision-maker should satisfy themselves that the proposers have been taken into account accessibility planning and that the proposal will not adversely impact on disadvantaged groups. Decision-makers should consider whether the proposal will unreasonably extend journey times or increase transport costs or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. The decision-maker will need to consider the local context, for example in areas with excessive surplus places, the decision-maker should consider whether the travel implications of the proposal are reasonable compared to those for alternative options. A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Issuing a decision

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with such modifications as they think desirable, after consulting the LA and/or proposer (as appropriate); or
- approve the proposal – with or without modification – subject to certain conditions¹⁶ (such as the granting of planning permission) being met.

Such decisions must be taken within two months of the end of the representation period, it is not possible for a LA to defer the decision beyond the two-month period.

The Schools Adjudicator will be the decision-maker in any case where the LA does not make a decision within a period of two months from the end of the representation period.