

**CABINET MEMBER FOR CHILDREN’S SERVICES Cllr Laura Mayes**

**SERVICE AREA CHILDREN’S SERVICES**

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**REFERENCE: CES-06-23**

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**Statutory Notice for the proposed closure of Shalbourne C of E Primary School**

**1. Purpose of Report**

To ask the Cabinet Member to approve the publication of a statutory notice to formally propose the closure of Shalbourne C of E Primary School. The notice will propose to permanently close the school on the 30 April 2024.

**2. Relevance to the Council’s Business Plan**

The Local Authority has a statutory duty to ensure effective school organisation and sufficient school places are provided across the Council area.

**3. Main Considerations for the Council**

By September 2023 the number of pupils on roll at the school had reduced to 7 pupils. At the time of writing, this has reduced to 5. Whilst the school has always been small, the gradual decline in pupil numbers followed by a recent significant reduction in pupils has made the school both financially and academically vulnerable. There is only one other school in England operating with such low pupil numbers. Therefore, the Council, with the agreement of Salisbury Diocesan Board of Education, is proposing that Shalbourne C of E School is closed with effect from the 30<sup>th</sup> April 2024.

**4. Background**

Shalbourne C of E Primary School is located in the village of Shalbourne in north-east Wiltshire. The school has voluntary controlled status and is maintained by Wiltshire Council. The school currently has a published admissions number of 8, meaning that it admits up to 8 pupils into the reception class each year.

The total number of children on roll as at the May 2023 school census was 30. The numbers in each year group are shown in the table below.

Year	Reception	1	2	3	4	5	6
Number on roll	1	6	4	5	4	5	5

However, since May, a number of the children formerly on roll have now either relocated elsewhere or moved to other schools. As the start of this term there were 7 children on roll, as shown below.

Year	Reception	1	2	3	4	5	6
Number on roll	1	1	2	1	1	0	1

Over the past few years, the number of children on roll at the school in the Autumn term has been as follows:

Year (October Census)	Number of Pupils on Roll
2014	49
2015	56
2016	54
2017	47
2018	41
2019	38
2020	32
2021	32
2022	31
2023	5

Based on a Published Admission Number of 8 pupils per year, the school has a capacity for 56 pupils. Over the last 10 years the highest number of pupils attending the school was 56 in October 2015. Numbers have been declining since that time and are projected to be 5 by October 2023. Based on the overall capacity of the school (56), the rate of surplus places has varied from 0% 2015 (lowest) to 91% in 2023 (highest).

Whilst the school has always been small, the gradual decline followed by the recent significant reduction in pupils has made the school both financially and academically vulnerable.

Shalbourne C of E Primary school is funded using the Wiltshire funding formula (in accordance with the national funding formula) which allocates money based upon the number of pupils on roll alongside a fixed level of funding. The school is funded for 2023-24 financial year based upon the 31 pupils it had on roll as at October 2022, which gave a total school budget of £301,000. Given the drop in pupil numbers to 5 pupils by October 2023, the school budget for the 2024-25 financial year is estimated to be around £205,000.

The school is therefore projecting an in-year budget deficit for each of the next 5 years and based upon the drop in pupil numbers, falling into a cumulative deficit during the 2024-25 financial year.

There are a number of fixed costs faced by all schools such as;

- Employing a head teacher
- Compliance testing

- Health and safety requirements
- Maintaining school premises
- Finance, Administration and HR costs

In order for a school to manage its financial position, a pupil base of only 5 pupils will make the school financially unviable.

In looking at the educational provision, with a very small cohort then there is a question as to whether this is in the best interests of the children. Socially, with such limited numbers there is a concern around the limited opportunities to mix with peers and to have enough interaction with others at key transition points. Further, with pupils from across the whole primary age range in what would need to be a single class moving forwards, this provides a high level of challenge in the ability of the school to deliver the National Curriculum given the breadth of age range. In this scenario, there is also the impact on staff to consider with teachers needing to take on significant responsibility across a number of areas that would be a concern from a workload perspective.

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. On average there are currently 4 children per cohort aged 0-4 living in the catchment area. In addition, parental preference for admission to the school has been low in recent years.

The Council's most recent Housing Land Supply Statement shows that there are only 6 new houses with planning consent within the school catchment area, this level of housing would only generate 2 new pupils. Numbers at the school are therefore not expected to rise sufficiently for the school to become financially viable.

As at May 2023, the closest Wiltshire schools in the surrounding area had the following numbers on roll and available places:

School	Number on Roll (Yr R to Y6)	Capacity (PAN x 7)	Notionally Available Places
Great Bedwyn C of E Primary	191	210	19
Burbage Primary School	157	203	48
St Katharine's Primary School	94	105	11

In addition to the above, there are primary schools over the border in West Berkshire and Hampshire that had surplus places as at May 2023.

Wiltshire Council recognises the government's presumption against the closure of village schools, and will only bring forward proposals to close a village school where it can be demonstrated that one or more of the following criteria are met:

- 1) There is only very limited demand for places at the school from children living within the designated area.**

- 2) **Surplus places at the school exceed 25%.**
- 3) Standards are low and there is little confidence in the likelihood of improvement.
- 4) Recruitment of a head teacher has not proved possible.
- 5) The necessary improvements to the school accommodation are either not possible or not cost effective.
- 6) **The school has a deficit budget without realistic prospects of recovery.**

In the present circumstances, Shalbourne C of E Primary School meets the first, second (currently 91% surplus places) and sixth criteria for closure in the list above. Therefore, it is with regret that Wiltshire Council, with the agreement of Salisbury Diocesan Board of Education, is proposing that Shalbourne C of E School is closed with effect from the 30<sup>th</sup> April 2024.

If the decision is made to close Shalbourne C of E Primary School, the schools catchment area will need to be allocated to an alternative school. The closest school to Shalbourne C of E Primary School is Great Bedwyn C of E School at approximately 3.4 miles away. Therefore, it seems most sensible to allocate the catchment area to Great Bedwyn C of E School. Great Bedwyn C of E School, like Shalbourne C of E Primary School, also lies with the secondary catchment area of Marlborough St John's Academy so there would be no change to the designated secondary school for the area.

All children are entitled to free home to school transport 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 those under 8 years old or more than three miles for those over 8 years old
- live under two miles away but all walking routes are considered unsafe

Therefore, if the decision is taken to close the school, free transport would be provided for all those living in the current Shalbourne school catchment area to the next nearest school with an available place, in accordance with the policy outlined above.

### Consultation

Wiltshire Council widely consulted on the proposal to close Shalbourne C of E School between 20 September 2023 and 20 October 2023. This included the circulation of a consultation document to a number of stakeholders as listed below.

- Parents of current pupils
- Parents of children not yet of school age in the designated area of the school
- Staff
- Unions
- Governors
- Salisbury Diocesan Board of Education
- West Berkshire and Hampshire Local Authorities
- The Local Wiltshire Councillor
- The Local M.P.

- Wiltshire School Transport Manager
- Heads and Chairs of Governors of nearby primary and secondary schools
- Excalibur Academies Trust
- Nearby pre-schools and nurseries
- Shalbourne Parish Council

Three consecutive consultation events were also held with parents, staff and all other stakeholders who wished to attend on the 5 October 2023. One parent attended the parent's session, and a conversation was held specific to the family circumstances. A presentation was given by HR to staff at the staff session, where staff were also supported by a member of the GMB Union. The presentation slides are attached in Appendix A. The final session was attended by a small number of local residents and Governors and the notes from this meeting are attached in Appendix B.

Six written responses were also received. The first was from a local resident who supported the proposed closure and the proposed re-allocation of the catchment area to Great Bedwyn C of E School.

The second was from West Berkshire Local Authority, who advised that they had considered the sufficiency of places in the area and on both sides of the border and concluded "We have sufficient places to accommodate demand from our catchment pupils and sufficient schools remain to offer families a choice. The proposed closure is therefore unlikely to have an impact on our families or our place planning".

The third response was from Salisbury Diocesan Board of Education, confirming that they supported the proposed closure given the low demand for places and the resultant affect on the educational and financial viability of the school.

The fourth response was from Excalibur Academy Trust stating that they supported the suggestion of the move of catchment area for Shalbourne CofE Primary School to Great Bedwyn C of E Primary School.

The fifth consultation response was from Shalbourne Parish Council who requested that a lessons learnt investigation be carried out into the precipitous decline in pupil numbers to prevent a similar situation arising again, and to request liaison with the village regarding the future of the school site in due course.

The final consultation response was a response from the Governors of the school. This said that they reluctantly agreed to the proposed closure of the school and the reallocation of the catchment area to Great Bedwyn C of E School. The Governors expressed great sadness that the closure of the school had been proposed, and also frustration that they had not been able to convert to an academy. The response concluded "The school has, for generations, provided a uniquely caring, nurturing environment in which children have flourished. The latest OFSTED inspection found the school to be 'Good'. As governors, we recognise that the current situation, with so few pupils on roll, is unsustainable – both financially and, most importantly, in terms of the welfare of the current pupils. And it is the welfare of the pupils and staff and parents at this difficult and upsetting time that remains our highest priority."

No consultation responses were received from parents who currently had children in the school, nor other schools/pre-schools in the area.

**5. Overview & Scrutiny Engagement**

Not applicable

**6. Safeguarding Implications**

If a decision is taken to close the school, it is of utmost importance that the children currently attending the school are allocated an alternative school place. At the time of writing, only 2 pupils at the school have not already secured an alternative school place. The Council's Admissions team will support families in completing in-year applications for the alternative school/s of their choice.

As mentioned above, free transport would be provided for all those living in the current Shalbourne school catchment area to the next nearest school with an available place, in accordance with the policy outlined above.

**7. Public Health Implications**

As mentioned above, there are concerns that such a small school currently limits the social interaction for pupils. Attending an alternative school with more pupils would create an increased opportunity for pupils to participate in team sports, thereby promoting healthy behaviours. It is, however, noted that for those who live in Shalbourne village itself there would no longer be a school that they can walk to.

**8. Procurement Implications**

Since this proposal relates to the closure of Shalbourne C of E school, there are no direct corporate procurement implications. Indirect corporate procurement implications may include the requirement for new home to school transport routes.

**9. Equalities Impact of the Proposal**

The Local Authority recognises that the closure of this small school will impact on specific children who will be required to move schools, those families that have chosen the school because of its small size and families who have opted for a faith education (Church of England).

Pupils at the school will be offered a place at another school and free transport will be provided to eligible children in accordance with the policy mentioned above. Several of the alternative local schools are also Church of England schools, including the closest school which is Great Bedwyn C of E School. The local authority has a moral and legal duty to ensure pupils receive a good standard of education and as explained above, with a significantly reduced budget the school's ability to deliver the national curriculum would be negatively impacted if the school remained open. The small number of pupils on roll would also limit pupil's opportunity for social interaction.

## **10. Environmental and Climate Change Considerations**

In the eventuality that Shalbourne C of E Primary School remained open, the environmental impact of the school would be expected to remain high compared to other schools. This is based on the fact that the school operates with a large surplus of capacity.

A very small number of pupils living within the school's catchment area can safely walk to school at present. These children will need to be transported to neighbouring schools, increasing the need for car journeys.

## **11. Risk Assessment**

### **Risks that may arise if the proposed decision is not taken**

- 1) If the decision is not taken, then the school will continue to operate with less than 5 pupils on roll. Given the drop in pupil numbers, the school budget for the 2024-25 financial year is estimated to be around £205,000. The school is therefore projecting an in-year budget deficit for each of the next 5 years and based upon the drop in pupil numbers, would fall into a cumulative deficit during the 2024-25 financial year. The school is therefore not financially sustainable.
- 2) Given the financial position above, the school would need to reduce to just one class. This provides a high level of challenge in the ability of the school to deliver the National Curriculum given the breadth of age range. The quality of provision at the school would therefore be difficult to sustain.

### **Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

- (a) There is a risk that alternative places could not be found locally for the remaining children on roll. However this is very unlikely given the surplus places remaining in the alternative schools as mentioned above.
- (b) There is a risk that transport costs will increase for those that have previously been able to walk to Shalbourne C of E Primary School. The costs are likely to be limited given that there are only a small number of children resident in Shalbourne and that eligibility for transport is limited to only those that attend the next nearest school with an available place.

## **12. Financial Implications**

Should the decision be taken to close Shalbourne C of E Primary School, there will be redundancy costs associated with this decision. There will also be ongoing transport costs of approximately £5k per annum. These costs need to be seen in the context of a projected school budget deficit from 2024/25.

### **13. Legal Implications**

Section 15 of the Education and Inspections Act requires a Local Authority to publish statutory proposals where it is proposing to close a maintained school. Section 16 of the Act requires the Local Authority to consult such people as they feel to be appropriate and to have regard to guidance published by the Secretary of State before publishing such proposals. The Council has a duty to consider any representations received as a result of that notice, before making a determination to approve or reject the proposal.

When exercising functions under these regulations regard must be had to guidance published by the Department for Education (DfE), “Making ‘prescribed alterations’ to maintained schools”, which sets out the procedure to be followed. By publishing a statutory notice, the Council would comply with this process.

In accordance with the guidance, the final decision on the proposal to close the school would be made by Cabinet, where they will consider the consultation responses. If closure is approved, then the school would legally close on 30 April 2024.

### **14. Options Considered**

Academisation was considered during the last academic year but ultimately a suitable academy trust, with approval from the Regional Director (DfE), was not identified. With pupil numbers now so low, with slim prospects of recovery, it is extremely unlikely that academisation would be approved on grounds of viability.

As Shalbourne School is both financially and academically vulnerable, closure is the considered to be only viable option.

### **15. Reason for Proposal**

Whilst the informal consultation on the proposed closure has taken place, there is a legal requirement for a statutory process which must be followed to formally propose the school closure. This includes the publication of a statutory notice to formally propose the closure of Shalbourne C of E Primary School. The notice will propose to permanently close the school on the 30 April 2024.

### **16. Proposal**

To approve the publication of a statutory notice to formally propose the closure of Shalbourne C of E Primary School on 30 April 2024.

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Appendix A – Slides from the presentation to staff at the consultation meeting on 5 October 2023

Appendix B – Notes from the consultation meetings held on 5 October 2023

Anonymised copies of the consultation responses summarised in the report.