

Decision Pathway – Report Template



PURPOSE: Key decision

MEETING: Cabinet

DATE: 07 February 2023

TITLE	Future of St Barnabas C of E Primary School		
Ward(s)	Ashley		
Author: Ian Bell	Job title: Place Planning Manager		
Cabinet lead: Councillor Asher Craig, Cabinet Member for Children’s Services, Education and Equalities	Executive Director lead: Abi Gbago, Executive Director Children’s and Education		
Proposal origin: BCC Staff			
Decision maker: Cabinet Member Decision forum: Cabinet			
Purpose of Report: To seek approval for approval for the closure of St Barnabas C of E Primary School in line with Department for Education Statutory Guidance and to note that the request to consider the future of the school was made by the Governors of the school.			
Evidence Base:			
<ol style="list-style-type: none"> 1. St Barnabas C of E Primary School (‘St Barnabas’) has been operating well below capacity for a number of years and the school governors feel the school is unsustainable with the funding available from these low pupil numbers. 2. The governors asked the council to consider the future of the school. 3. Bristol City Council (‘the Council’) has been working with the school governors and the Diocese of Bristol to look at options including possible academisation. The low pupil numbers mean that it has not been possible to identify anything that would offer a secure future for the school. 4. In order to address the sustainability issues facing the school, the Council, in agreement with the school governors and Diocese of Bristol, is proposing closure at the end of the current academic year (2022/23). 5. After a period of sustained growth the number of pupils starting school in Bristol has been falling since 2016. There are now a large number of surplus places in primary schools. The proportion is particularly high in the Ashley and Lawrence Hill Primary School Place Planning Area, where the forecast is that over 20% of places will be empty in the 2023/24 Reception year. 6. St Barnabas can accommodate up to 210 pupils. There are currently 56 pupils on roll (January 2023). 7. Pupils on roll have fallen for a number of years. In 2016 there were 200 pupils on roll. In the October 2022 census there were 71 pupils on roll. A number of pupils have left following the publication of the proposal to close. 8. Cost saving measures have already been taken including combining year groups so that they can share a teacher. All available reserves have been used and Governors have not been able identify any other savings that would be sufficient to keep the school sustainable. School budgets are directly related to the number of children on roll and it is inevitable that the school budgets will be challenging with lower pupil numbers. 9. Governors have considered the issues and options available and do not feel able to provide an appropriate standard of education for the future. 10. Guidance from the Department for Education (DfE) sets out the process for proposing closure. Following the publication of the proposal, a statutory consultation period of 4 weeks took place, ending on 16th December 2022. The decision maker, in this case the Council, must make a decision within 2 months of this date. 			

11. The outcome of the consultation has been taken into account in finalising the proposal in this report.
12. The responses to the consultation are set out in Appendix B. The main themes were: -
 - A very strong general theme about the part St Barnabas has historically played and continues to play in the local community and how that would be affected by closure.
 - The school's experience with and support for pupils with SEND, particularly those with autism. The small classes and high pupil to staff ratio and the caring nature of the school have also been referenced. There were a number of people asking about a possible Specialist Resource Base or even a conversion of the school to a Special School. There was a view that it will cost more to educate the pupils in special schools than in St Barnabas.
 - Some responses stated that the school should be supported financially until numbers improve.
 - There were questions around the basis of the data being used including numbers of pupils from new housing and surrounding schools reducing their intakes.
 - Some respondents described how the school offers good green space and playing field, with others not having these facilities. There were also questions about the future use of the site.
 - There was some criticism of the process including a suspicion that staff were not being allowed to comment.
13. Officers considered the responses in coming to a final recommendation. App Aiii sets out the officer responses and are summarised below.
 - Options including federation and academisation were explored however due to uncertainty of any increase in demand for places could not be taken forward.
 - A Resource Base for pupils with SEND was considered as part of the wider programme to increase the availability of SEND places. The number of additional ASC/ASD places required is limited for primary age pupils and resources available to provide these and other SEND places across all ages is limited.
 - Rules around changing the nature of a school mean that it is not possible to redesignate a mainstream primary school to become a special school.
 - There is very little scope to support individual schools outside of the schools funding formula which is mainly driven by pupil numbers.
 - Pupil numbers in the proposal are from the schools' census where schools report their numbers on roll to the Department for Education 3 times each year.
 - There are no current plans for the school site and buildings. Ownership is divided between the Council and the Church of England Diocese and future use would need to be agreed.
 - Governors have informed staff of their conditions of service that relate to their conduct and advised on how they get further information on the HR issues. This does not stop them submitting their views on the proposal and they can do this along with any other interested person.
14. If the proposal is approved, parents will be asked to name up to 3 preferences of alternative schools. Where places are available, they will be offered. We can guarantee that all pupils will receive an offer of an alternative school place.
15. Pupils with an Education and Health Care Plan will have that plan reviewed and a new school named.

Cabinet Member / Officer Recommendations:

That Cabinet:

1. Approves the closure of St Barnabas C of E Primary School at the end of the current academic year (2022/23).
2. Note that the request to consider the future of the school was made by the Governors of the school.
3. Note the consultation responses at Appendix B.

Corporate Strategy alignment:

These proposals will help to improve educational outcomes to help the city become Fair and inclusive

City Benefits:

The school is financially unsustainable with very low pupil numbers and costs associated with maintaining a building that has a much larger capacity. The proposal will help to secure sustainable primary school provision in the area for the short to medium term.

Consultation Details:

1. The proposals were the subject of consultation with school governors, parents, staff and the C of E Diocese prior to publication of the full proposals. This included meetings with parents and staff.
2. As required in the statutory guidance the full proposals were published on the Council website, with a shorter version published in the Bristol Post. The proposals were also sent to Department for Education and others as required by the guidance.
3. No responses were received from the statutory consultees (the Secretary of State, the C of E Diocesan Board of Education and the bishop of the Roman Catholic diocese).
4. Responses were received from parents, staff and members of the community and are summarised in Appendix B.

Background Documents

1. Opening and closing maintained schools - Statutory guidance for proposers and decision-makers (Department for Education, November 2019) [Opening and closing maintained schools1012.pdf \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/83122/opening-and-closing-maintained-schools-1012.pdf)
2. Education and Inspections Act 2006 (As amended by the Education Act 2011) [Education and Inspections Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/42/section/15)
3. School Organisation (Establishments and Discontinuance of Schools) Regulations 2013 [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2013/1013/section/1)

Revenue Cost	£N/A	Source of Revenue Funding	N/A
Capital Cost	£N/A	Source of Capital Funding	N/A
One off cost <input type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Finance Advice: The school, at the end of 2021/22 had a surplus balance of £117k, an in-year reduction of £44k from the previous year's closing balance. In 2022/23, the school is forecasting an in-year deficit of £176k, leaving a deficit balance of £59k by the end of the year.

The final position on the school's balance will only be known when the closure date is confirmed, and the cost of any redundancies is calculated. If the final balance is a deficit as forecast, the balance will be returned to the LA and funded from reserves.

Finance Business Partner: Andrew Osei – interim Finance Business Partner, 30 January 2023

2. Legal Advice: Section 15 of the Education and Inspections Act empowers the local authority to publish proposals to discontinue a voluntary controlled school following the statutory process as detailed in Appendix A. The School Organisation (Establishment and Discontinuance of Schools) Regulations 2013 specify how the proposals are to be publicised, which bodies are to receive copies and a statutory consultation period. The consultation detailed in Appendix B complies with the specified requirements in the Regulations. The proposals were consulted on prior to the statutory consultation with the responses summarised in Appendix B. The responses must be taken into account by Cabinet when taking the decision. The statutory consultation period of 4 weeks, inviting comments or objections, ended on 16th December 2022. The equalities impact assessment at Appendix E will assist Cabinet in complying with the public sector equality duty when making this decision.

Legal Team Leader: Kate Meller Team Leader Litigation Regulatory and Community Team. 26 January 2023

3. Implications on IT:

IT Team Leader:

HR Advice: The governors are working with advice from the Local Authority. Should the decision to close the school be approved the school will follow its procedure for consulting staff and issuing notice, and allowing them to make representations to the Governing Body. There are 9 teachers (5.8 FTE) and 13 support staff (10.8 FTE) employed at the school and the Local Authority will ensure all affected employees are entered into the Council's Redeployment Scheme to find suitable alternative work. Any employee with two or more years' service who does not secure a new

role within the authority (or employer covered by the Redundancy Payments Modifications Order) will be entitled to a redundancy payment, calculated in accordance with the school's severance policy (which is based on the council's). All severance costs will fall to the school's budget.

HR Partner: Lorna Laing - HR Business Partner – Adults, Children, Education & Public Health 26 January 2023.

EDM Sign-off	Abi Gbago	30 January 2023
Cabinet Member sign-off	Cllr Asher Craig	30 January 2023
For Key Decisions - Mayor's Office sign-off	Mayor's Office	30 January 2023

Appendix A – Further essential background / detail on the proposal A (i) – Full Proposal and Statutory Notice A (ii) – Background Information A (iii) – Officer response to consultation themes	YES
Appendix B – Summary of Responses to Consultation	YES
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	NO
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	NO
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO